

Item # SE & F

**City of Carson City
Agenda Report**

Date Submitted: September 12, 2006

Agenda Date Requested: September 21, 2006

Time Requested: 10 minutes

To: Mayor and Board of Supervisors

From: Planning Division

Subject Title: Action to approve a Master Plan Amendment application from Carson City (property owners: City of Carson City; Larsen, Elmer & Carrol 2003 TR), to change Land Use designation of a 0.246-acre portion of property located at 653 Shenandoah Drive, APN 8-754-19, from Medium Density Residential to Parks and Recreation, and to change the Land Use designation of a 0.053-acre portion of APN 8-754-21 from Parks and Recreation to Medium Density Residential, based on the three findings contained in the staff report. File MPA-06-139

Staff Summary: The proposed amendment will align the boundaries of the Land Use Map with the proposed property boundaries between the residential parcel and the City's drainage facilities parcel resulting from an adjustment of the property boundary.

Type of Action Requested:

- Resolution
- Formal Action/Motion
- Ordinance
- Other (Specify)

Does This Action Require A Business Impact Statement: Yes No

Planning Commission Action: Recommended approval on August 30, 2006, by a vote of 7 Ayes and 0 Nays.

Recommended Board Action: I move to approve a Master Plan Amendment application from Carson City (property owners: City of Carson City; Larsen, Elmer & Carrol 2003 TR), to change Land Use designation of a 0.246-acre portion of property located at 653 Shenandoah Drive, APN 8-754-19, from Medium Density Residential to Parks and Recreation, and to change the Land Use designation of a 0.053-acre portion of APN 8-754-21 from Parks and Recreation to Medium Density Residential, based on the three findings contained in the staff report. File MPA-06-139

Explanation for Recommended Board Action: See the attached staff report to the Planning Commission for a complete explanation of the recommended action.

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

Fiscal Impact: N/A

Explanation of Impact: N/A

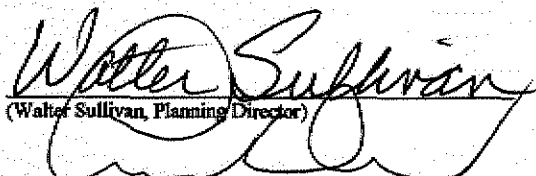
Funding Source: N/A

Alternatives: Refer the matter back to Planning Commission for further review

Supporting Material: Planning Commission packet

Prepared By: Donna Fuller, Administrative Service Manager

Reviewed By:


(Walter Sullivan, Planning Director)

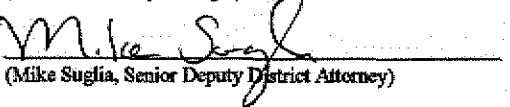
Date: 9-11-06

(Andrew Burnham, Public Works Director)

Date: 9/12/06


(Linda Ritter, City Manager)

Date: 9/12/06


(Mike Suglia, Senior Deputy District Attorney)

Date: 9-12-06

Board Action Taken:

Motion: _____

1) _____ Aye/Nay

2) _____

(Vote Recorded By)

SCHEDULED FOR THE BOARD OF SUPERVISORS

DATE: 9-21-06

H:\PC\2006\Case Records\MPA-06-133 8-30-06.wpd

**City of Carson City
Agenda Report**

Date Submitted: September 12, 2006

Agenda Date Requested: September 21, 2006

Time Requested: 5 minutes

To: Mayor and Board of Supervisors

From: Planning Division

Subject Title: Action to introduce, on first reading, Bill No. _____, an ordinance affecting a Zoning Map Amendment to change the zoning of a portion (0.246 acres) of APN 008-754-19, located at 653 Shenandoah Drive, from Single Family One Acre (SF1A) to Public Community (PC), and to change the zoning of a portion (0.053 acres) of APN 008-754-21, located to the northeast of APN 008-754-19, from Public Community (PC) to Single Family One Acre (SF1A), subject to the three findings contained in the staff report. (File No. ZMA-06-125)

Staff Summary: The proposed amendment will align the boundaries of the Zoning Map with the proposed property boundaries between the residential parcel and the City's drainage facilities parcel resulting from an adjustment of the property boundary.

Type of Action Requested:

Resolution

Ordinance (First Reading)

Formal Action/Motion

Other (Specify)

Does This Action Require A Business Impact Statement: Yes No

Planning Commission Action: Recommended approval on August 30, 2006 by a vote of 7 Ayes and 0 Nays.

Recommended Board Action: I move to introduce, on first reading, Bill No. _____, an ordinance affecting a Zoning Map Amendment to change the zoning of a portion (0.246 acres) of APN 008-754-19, located at 653 Shenandoah Drive, from Single Family One Acre to Public Community, and to change the zoning of a portion (0.053 acres) of APN 008-754-21, located to the northeast of APN 008-754-19, from Public Community to Single Family One Acre, subject to the findings contained in the staff report.

Explanation for Recommended Board Action: See attached staff report to the Planning Commission for complete explanation on the recommended action.

Applicable Statute, Code, Policy, Rule or Regulation: CCMC 18.02.075 (Zoning Map Amendments).

Fiscal Impact: N/A

Explanation of Impact: N/A

Funding Source: N/A

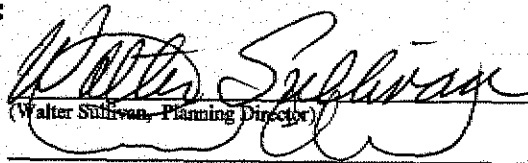
Alternatives:

- 1) Refer back to staff and Planning Commission for further review.

Supporting Material: Staff Report
Case Record
Ordinance

Prepared By: Donna Fuller, Administrative Services Manager

Reviewed By:


(Walter Sullivan, Planning Director)

Date: 9-11-06

(Andrew Burnham, Public Works Director)

Date: 9/12/06


(Linda Ritter, City Manager)

Date: 9/12/06


(Mike Suglia, Senior Deputy District Attorney)

Date: 9-12-06

Board Action Taken:

Motion: _____

- 1) _____
- 2) _____

Aye/Nay

(Vote Recorded By)

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AFFECTING A ZONING MAP AMENDMENT TO CHANGE THE ZONING OF A PORTION (0.246 ACRES) OF APN 008-754-19, LOCATED AT 653 SHENANDOAH DRIVE, FROM SINGLE-FAMILY ONE ACRE (SF1A) TO PUBLIC COMMUNITY (PC), AND TO CHANGE THE ZONING OF A PORTION (0.053 ACRES) OF APN 008-754-21, LOCATED TO THE NORTHEAST OF APN 008-754-19, FROM PUBLIC COMMUNITY (PC) TO SINGLE FAMILY ONE ACRE (SF1A).

Fiscal Effect: None

THE CARSON CITY BOARD OF SUPERVISORS HEREBY ORDAINS:

SECTION I:

An application for a Zoning Map Amendment on Assessor's Parcel Numbers 008-754-19 and -21, on property located at 653 Shenandoah Drive, Carson City, Nevada, and adjacent property, was duly submitted by the Carson City Planning Division in accordance with Section 18.02.075, et seq. of the Carson City Municipal Code (CCMC). The requested change will result in the zoning designation of a portion (0.246 acres) of APN 008-754-19 changing from Single-Family One Acre (SF1A) to Public Community (PC), and a portion (0.053 acres) of APN 008-754-21 changing from Public Community (PC) to Single Family One Acre (SF1A). After proper noticing pursuant to NRS 278 and CCMC Title 18, on August 30, 2006, the Planning Commission reviewed the Planning Division staff report and voted 7ayes, 0 nays to recommend

to the Board of Supervisors approval of the Zoning Map Amendment.

SECTION II:

Based on the findings that the Zoning Map Amendment would be in keeping with the objectives of the Master Plan, that the Amendment would be beneficial and not detrimental to the immediate vicinity, that the community as a whole would receive merit and value from the change, that adequate consideration for surrounding properties has been made, and that the request satisfied all other requirements for findings of fact enumerated in CCMC Section 18.02.075(5), the zoning map of Carson City is amended for a portion (.246 acres) of APN 008-754-19, located at 653 Shenandoah Drive, changing the zoning from Single-Family One Acre (SF1A) to Public Community (PC), and changing the zoning of a portion (.053 acres) of APN 008-754-21, located to the northeast of APN 008-754-19, from Public Community (PC) to Single Family One Acre (SF1A), as shown on Exhibit "A."

PROPOSED this ____ day of _____, 2006.

PROPOSED BY Supervisor _____

PASSED on the ____ day of _____, 2006.

VOTE:AYES: _____

NAYS: _____

ABSENT: _____

MARV TEIXEIRA, Mayor

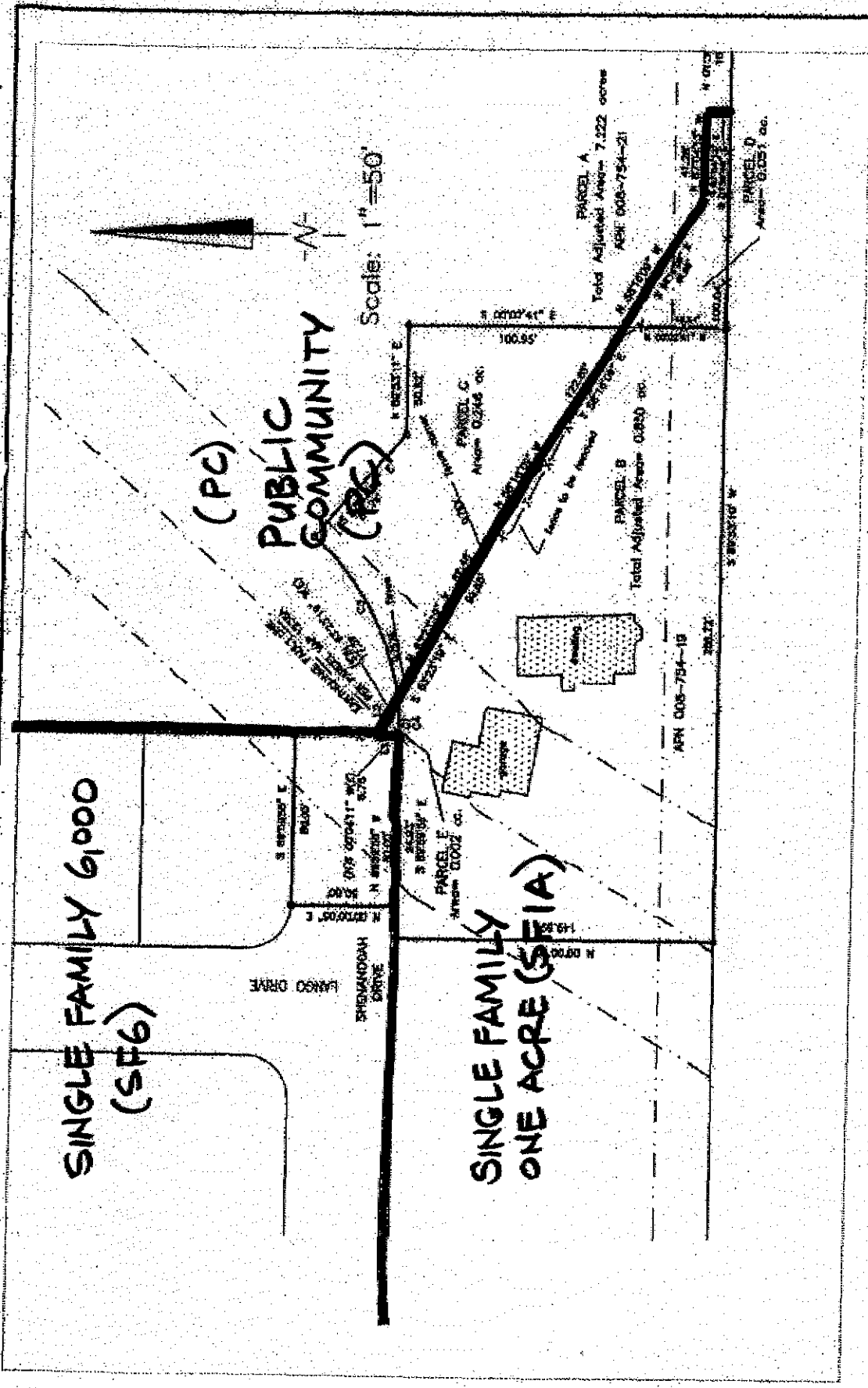
ATTEST:

ALAN GLOVER, Clerk-Recorder

This ordinance shall be in force and effect from and after the
 of , 2006.

PROPOSED ZONING MAP

EXHIBIT A



Lands being part of S1/2 of SE 1/4, Sect.31
 Twp.16N, Rng.20E M.D.B.&M.
 Carson City County, NV

Sketch Plan for
 Rezoning of Parcels

RESOURCE CONCEPTS, INC.

**CARSON CITY PLANNING COMMISSION
CASE RECORD**

MEETING DATE: AUGUST 30, 2006

AGENDA ITEM NO. G-4B

APPLICANT(s) NAME: CC

FILE NO.: : ZMA-06-125

PROPERTY OWNER(s): Carson City, Larsen, Elmer & Carrol 2003 TR

ASSESSOR PARCEL NO(s): APN 008-754-19 and -21

ADDRESS: 653 Shenandoah Drive

APPLICANT'S REQUEST: Action to consider approval of a Zoning Map Amendment application to change the zoning of a portion (.246 acres) of APN 008-754-19, located at 653 Shenandoah Drive, from Single-Family One Acre (SF1A) to Public Community (PC), and to change the zoning of a portion (.053 acres) of APN 008-754-21, located to the northeast of APN 008-754-19, from Public Community (PC) to Single Family One Acre (SF1A).

COMMISSIONERS PRESENT: PEERY VANCE SEMMENS

BISBEE MULLET REYNOLDS KIMBROUGH

STAFF REPORT PRESENTED BY: LEE PLEMEL

REPORT
ATTACHED

STAFF RECOMMENDATION: CONDITIONAL APPROVAL

DENIAL

APPLICANT REPRESENTED BY: CC

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:

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: Bisbee SECOND: Semmens PASSED: 7 /AYE 0 /NO /DQ /ABSENT /ABSTAINED

SCHEDULED FOR THE BOARD OF SUPERVISORS

DATE: 9-21-06

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STAFF REPORT FOR PLANNING COMMISSION MEETING OF AUGUST 30, 2006

FILES: MPA-06-139, ZMA-06-125 & VAR-06-156

AGENDA ITEM: G-4
A, B, C

STAFF AUTHOR: Lee Plemel, AICP, Principal Planner

REQUESTS:

- 1) **VAR-06-156** – A Variance to allow a reduction in lot size for APN 8-754-19, 653 Shenandoah Drive, from a minimum of one acre to 0.9 acre within the SF1A zoning district to allow a proposed lot line adjustment.
- 2) **MPA-06-139** – A Master Plan Amendment to adjust the Land Use boundary between a residential parcel located at 653 Shenandoah Drive, APN 8-754-19, and the adjacent Carson City-owned parcel, APN 8-754-21, to be in conformance with the adjusted lot line between the two parcels, resulting in realigned designations of Medium Density Residential and Parks and Recreation, respectively.
- 3) **ZMA-06-125** – A Zoning Map Amendment to adjust the zoning boundary between the two parcels, resulting in realigned designations of Single-Family One Acre (SF1A) and Public Community (PC).

APPLICANT: Carson City

OWNERS: Elmer & Carrol Larson 2003 Trust (8-754-19) and Carson City (8-754-21)

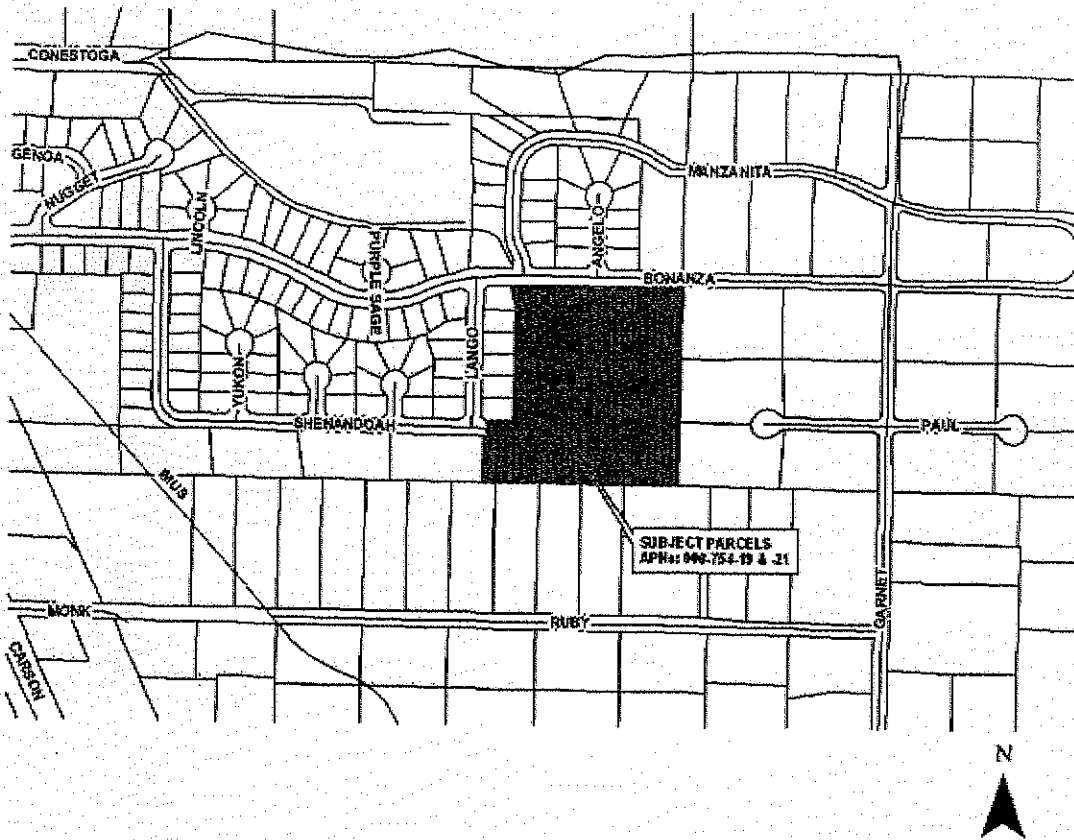
LOCATION: 653 Shenandoah Drive and adjacent parcel to the northeast.

RECOMMENDED MOTIONS:

VAR-06-156: "I move to approve application VAR-06-156, a Variance to allow a reduction in the minimum parcel size from one acre to 0.9 acre on property zoned Single Family One Acre, located at 653 Shenandoah Drive, APN 8-754-19, based on the findings contained in the staff report."

MPA-06-139: "I move to adopt Resolution 2006-PC-7 to approve application MPA-06-139, a Master Plan Amendment to change Land Use designation of a 0.246-acre portion of property located at 653 Shenandoah Drive, APN 8-754-19, from Medium Density Residential to Parks and Recreation, and to change the Land Use designation of a 0.053-acre portion of APN 8-754-21 from Parks and Recreation to Medium Density Residential, based on the findings contained in the staff report."

ZMA-06-125: "I move to approve application ZMA-06-125, a Zoning Map Amendment to change zoning of a 0.246-acre portion of property located at 653 Shenandoah Drive, APN 8-754-19, from Single Family One Acre to Public Community, and to change the zoning of a 0.053-acre portion of APN 8-754-21 from Public Community to Single Family One Acre, based on the findings contained in the staff report."



LEGAL REQUIREMENTS: CCMC 18.02.050 (Review); 18.02.070 (Master Plan), 18.02.075 (Zoning Map Amendments), 18.02.085 (Variances).

CURRENT MASTER PLAN DESIGNATION: Medium Density Residential and Parks & Recreation.

CURRENT ZONING: Single Family One Acre (SF1A) and Public Community (PC)

BACKGROUND:

The City-owned parcel (APN 8-754-21) contains drainage facilities, including a detention basin over most of the property. The residential lot (APN 8-754-19) contains one single family residence with accessory structures. The northeast portion of the residential lot also contains a portion of the City's drainage facility improvements, with an easement for the drainage improvements over this portion of the lot.

As a result of an agreement reached between Carson City and the property owners of 653 Shenandoah Drive in a Nevada Supreme Court lawsuit (*Larsen v. Carson City*), Carson City is responsible for adjusting the property lines between the subject parcels. The lot line adjustment will result in 0.246 acres of the residential property with drainage improvements on it being conveyed to the City and 0.053 acres of the City property being conveyed to the Larsen's (see map at the back of this staff report). The City has a net gain of 0.193 acres (approximately 8,400 square feet), with the Larson's losing that much net property. The resulting residential (Larsen) parcel will be approximately 0.9 acres in area, which is less than the minimum one net acre required within the SF1A zoning district. Therefore, a Variance for the lot size is required in order to approve the required lot line adjustment.

Lot line adjustments are processed administratively. Final approval and recording of the subject lot line adjustment is pending approval of these applications. Staff has submitted the Variance application on behalf of both parties to allow the reduction in lot size. The Master Plan Amendment and Zoning Map Amendment applications are submitted to adjust the boundaries of the respective land use and zoning designations consistent with the proposed lot line adjustment.

Following is a summary table of how much property is involved in the exchange from the respective property owners.

Property Owner	Current Parcel Size	Acres Transferred to other owner	Change in Land Use and Zoning	Resulting Parcel Size
Larsen	1.096 acres	0.246 acres	SF1A/MDR to P&R/PC	0.903 acres
Carson City	7.275 acres	0.053 acres	P&R/PC to SF1A/MDR	7.468 acres

DISCUSSION:

The intent of these three applications is essentially to fulfill the terms of the legal agreement between Carson City and the Larsen's. Approval of the applications will not result in the creation of additional parcels. The applications are merely intended to bring the property boundary between the two parcels into alignment with actual improvements already constructed. There will be no visible change to the properties as a result of the approval of these applications.

PUBLIC COMMENTS: Public notices were mailed to 59 adjacent property owners within 300 feet of the subject parcel in accordance with the provisions of NRS and CCMC 18.02.045. As of August 21, 2006, 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.

OTHER CITY DEPARTMENT OR OUTSIDE AGENCY COMMENTS:

The Engineering Division, Building Division and Fire Department had no comments regarding the proposed amendment. No other city department comments were received.

FINDINGS:

Variance: Staff recommends the following findings for approval of the Variance pursuant to the Carson City Municipal Code Section 18.02.085(5), Variances.

1. *Because of special circumstances applicable to the subject property, including shape, size, topography or location of surroundings, the strict application of the zoning ordinance would deprive the subject property of privileges enjoyed by other properties in the vicinity or under identical zoning classification.*

Rationale: The property is unique and burdened by the fact that there are City drainage facilities constructed on a portion of the parcel, which is unusual for a property zoned Single Family One Acre and is unusual for any non-public property. There are no plans for the City to discontinue the use of the subject drainage facilities, so the property owners effectively have no use of this portion of the property.

- 2. The granting of the variance is necessary for the preservation and enjoyment of substantial property rights of the applicant.***

Rationale: The variance is sought as a result of a lawsuit agreement, which is intended to protect substantial property rights of the owners regarding the use of the property. There are no plans for the City to discontinue the use of the subject drainage facilities, so the property owners effectively have no use of this portion of the property.

- 3. The granting of the variance will not, under the circumstances of this particular case, adversely affect to a material degree the health or safety of persons residing or working in the neighborhood of the subject property and will not be materially detrimental to the public welfare or materially injurious to property or improvements in the neighborhood of the subject property.***

Rationale: The reduced lot size will have no impacts to any actual physical improvements on the properties and will not result in the creation or the ability to create any additional parcels. Approval of the Variance will not result in any visible changes to the property. The existing single-family residence and adjacent drainage improvements will remain the same and create no additional impacts to the public health, safety, or general welfare.

Master Plan Amendment and Zoning Map Amendment: Staff recommends the following findings for approval of the MPA and ZMA applications pursuant to the Carson City Municipal Code Sections 18.02.070, Master Plan, and 18.02.075(5), Zoning Map Amendments.

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

Rationale: The proposed modification to the Land Use and zoning boundaries between the City-owned property and the adjacent residential property will have no impact on the goals and policies of the Master Plan, and provides for Land Use designations consistent with the ultimate ownership of the parcels in conformance with the Land Use designation characteristics identified in the Master Plan.

- 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 adjusted Land Use and zoning boundaries will have no impacts to any actual physical improvements on the properties and will not result in the creation or the ability to create any additional parcels. Approval of the applications will not result in any visible changes to the property. The existing single-family residence and adjacent drainage improvements will remain the same and create no additional impacts to the public health, safety, or general welfare.

- 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.***

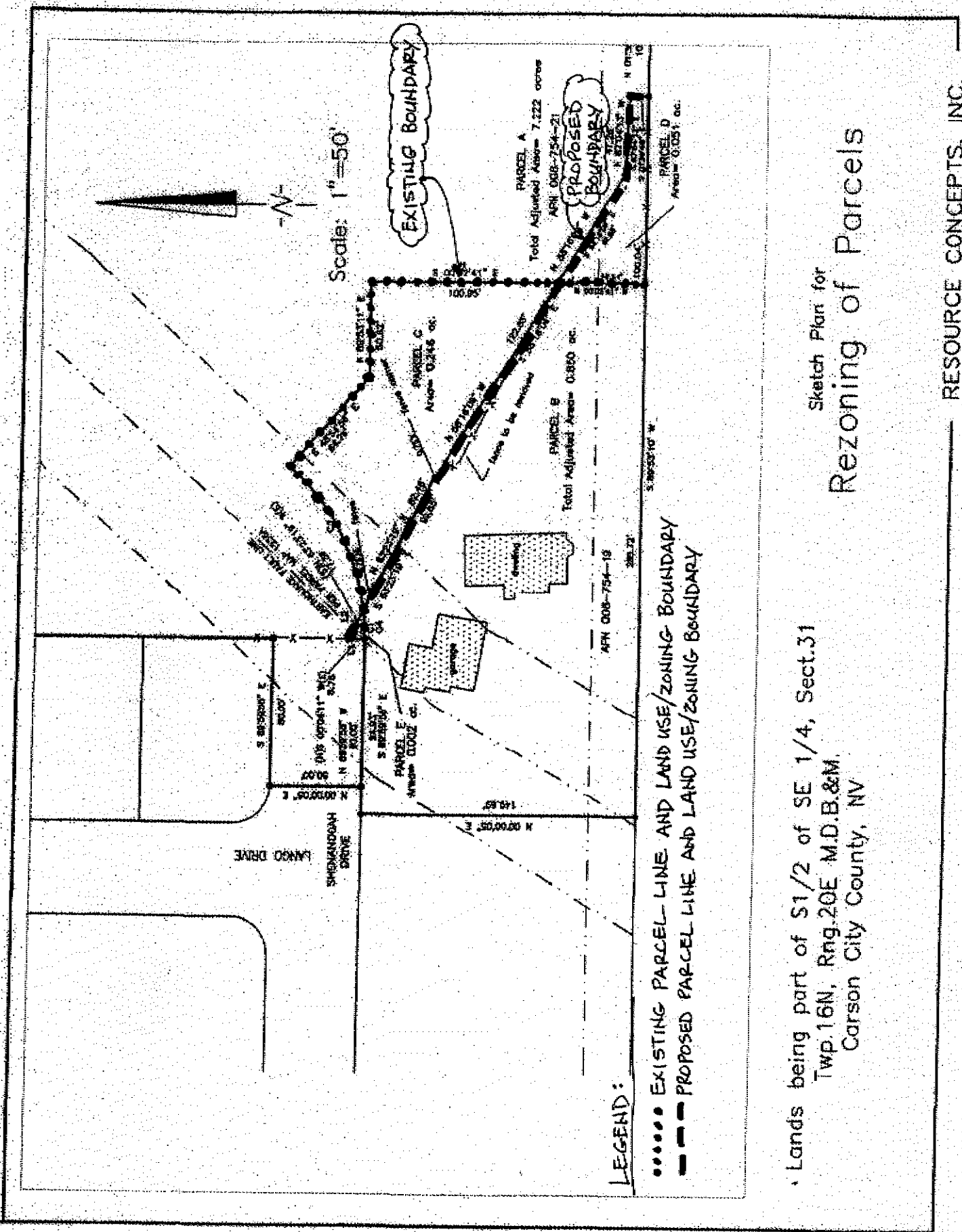
Rationale: The proposed amendments will have a positive impact on the ability for the city to provide drainage services by identifying a portion of property that is already used for public drainage improvements and Public Community.

Respectfully submitted,

PLANNING DIVISION

A handwritten signature in black ink, appearing to read 'L. Plamel', written over a horizontal line.

Lee Plamel, AICP, Principal Planner



Lands being part of S1/2 of SE 1/4, Sect.31
 Twp.16N, Rng.20E M.D.B.&M.
 Carson City County, NV

Sketch Plan for Rezoning of Parcels

RESOURCE CONCEPTS, INC.

RESOLUTION NO. 2006-PC-7

A RESOLUTION RECOMMENDING TO THE BOARD OF SUPERVISORS APPROVAL OF MPA-06-139, A MASTER PLAN AMENDMENT REQUEST TO CHANGE THE MASTER PLAN LAND USE DESIGNATION OF A PORTION (0.246 ACRES) OF APN 008-754-19, LOCATED AT 653 SHENANDOAH DRIVE, FROM LOW DENSITY RESIDENTIAL TO PARKS AND RECREATION, AND TO CHANGE THE LAND USE DESIGNATION OF A PORTION (0.053 ACRES) OF APN 008-754-21, LOCATED TO THE NORTHEAST OF APN 008-754-19, FROM PARKS AND RECREATION TO LOW DENSITY RESIDENTIAL.

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 August 30, 2006, 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-06-139 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.

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 a portion (.246 acres) of APN 008-754-19, located at 653 Shenandoah Drive, from Low Density Residential to Parks and Recreation, and to change the Land Use designation of a portion (.053 acres) of APN 008-754-21, located to the northeast of APN 008-754-19, from Parks and Recreation to Low Density Residential, as illustrated in the attached exhibit.

ADOPTED this 30th day of August, 2006

VOTE: AYES:

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AFFECTING A ZONING MAP AMENDMENT TO CHANGE THE ZONING OF A PORTION (0.246 ACRES) OF APN 008-754-19, LOCATED AT 653 SHENANDOAH DRIVE, FROM SINGLE-FAMILY ONE ACRE (SF1A) TO PUBLIC COMMUNITY (PC), AND TO CHANGE THE ZONING OF A PORTION (0.053 ACRES) OF APN 008-754-21, LOCATED TO THE NORTHEAST OF APN 008-754-19, FROM PUBLIC COMMUNITY (PC) TO SINGLE FAMILY ONE ACRE (SF1A).

Fiscal Effect: None

THE CARSON CITY BOARD OF SUPERVISORS HEREBY ORDAINS:

SECTION I:

An application for a Zoning Map Amendment on Assessor's Parcel Numbers 008-754-19 and -21, on property located at 653 Shenandoah Drive, Carson City, Nevada, and adjacent property, was duly submitted by the Carson City Planning Division in accordance with Section 18.02.075, et seq. of the Carson City Municipal Code (CCMC). The requested change will result in the zoning designation of a portion (0.246 acres) of APN 008-754-19 changing from Single-Family One Acre (SF1A) to Public Community (PC), and a portion (0.053 acres) of APN 008-754-21 changing from Public Community (PC) to Single Family One Acre (SF1A). On August 30, 2006, the Planning Commission voted ayes, nay ~~and absent~~ to recommend to the Board of Supervisors approval of the Zoning Map Amendment.

SECTION II:

Based on the findings that the Zoning Map Amendment would be in keeping with the objectives of the Master Plan, that the Amendment would be beneficial and not detrimental to the immediate vicinity, that the community as a whole would receive merit and value from the change, that adequate consideration for surrounding properties has been made, and that the request satisfied all other requirements for findings of fact enumerated in CCMC Section 18.02.075(5), the zoning map of Carson City is amended for a portion (.246 acres) of APN 008-754-19, located at 653 Shenandoah Drive, changing the zoning from Single-Family One Acre (SF1A) to Public Community (PC), and changing the zoning of a portion (.053 acres) of APN 008-754-21, located to the northeast of APN 008-754-19, from Public Community (PC) to Single Family One Acre (SF1A), as shown on Exhibit "A."

PROPOSED this ____ day of _____, 2006.

PROPOSED BY Supervisor _____

PASSED on the ____ day of _____, 2006.

VOTE:AYES:

NAYS:

ABSENT:

MARV TEIXEIRA, Mayor

ATTEST:

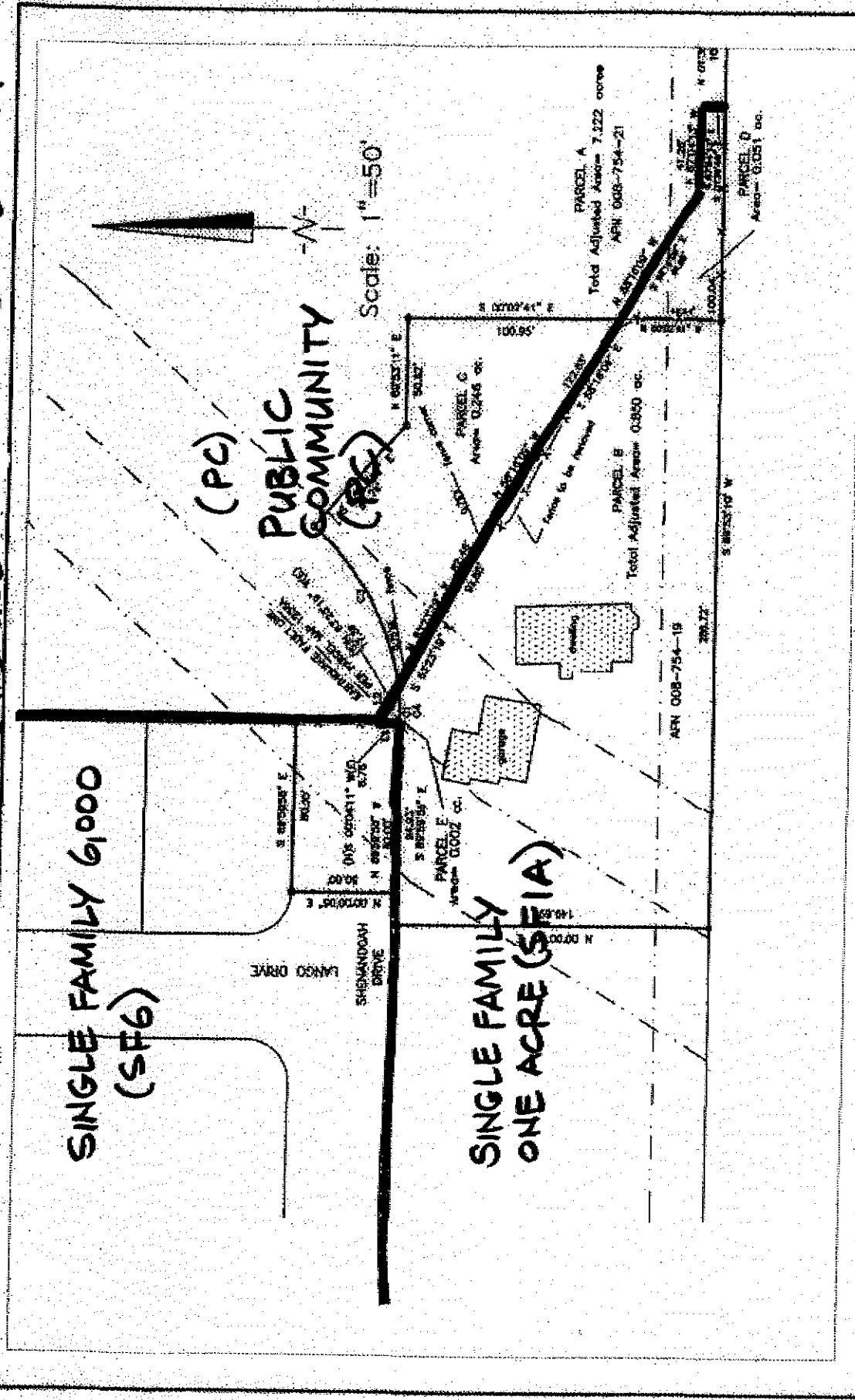
ALAN GLOVER, Clerk-Recorder

This ordinance shall be in force and effect from and after the

 of , 2006.

PROPOSED ZONING MAP

EXHIBIT A



Lands being part of S1/2 of SE 1/4, Sect.31
 Twp.16N, Rng.20E M.D.B.&M.
 Carson City County, NV

Sketch Plan for
 Rezoning of Parcels

RESOURCE CONCEPTS, INC.

Carson City Planning and Community Development
 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-06-139

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)
- NA Documentation of Taxes Paid-to-Date
- NA 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.

PROPERTY OWNER
 City of Carson City
 Larsen, Elmer & Carrol 2003 Trust

MAILING ADDRESS, CITY, STATE, ZIP
 3303 Butti Way #7, Carson City 89701
 653 Shenandoah Drive, Carson City 89706

PHONE # (775) 887-2180 **FAX #** (775) 887-2278

Name of Person to Whom All Correspondence Should Be Sent
APPLICANT/AGENT
 City of Carson City
 Planning and Community Development Division

MAILING ADDRESS, CITY, STATE ZIP
 2621 Northgate Lane Suite 62
 Carson City, Nevada 89706

PHONE # (775) 887-2180 **FAX #** (775) 887-2278

E-MAIL ADDRESS
 plandept@ci.carson-city.nv.us

Project's Assessor Parcel Number(s):
 008-754-21
 008-754-19

Street Address
 W. Bonanza Drive
 653 Shenandoah Drive

ZIP Code
 89706
 89706

Project's Master Plan Designation
 Parks and Recreation (PR)
 Medium Density Residential (MDR)

Project's Current Zoning
 Public Community (PC)
 Single Family One Acre (SF1A)

Nearest Major Cross Street(s)
 Imus Road

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

As a result of Supreme Court Case No. 47135 (Larsen v. Carson City) Carson City is responsible for adjusting the property lines between the subject parcels (APNs 008-754-21 and 008-754-19). A Lot Line Adjustment currently under review will require portions of the subject parcels to be re-zoned to allow for consistency and zoning compatibility of the subject parcels. In order for the zoning to be consistent with the Master Plan Land Use Map of Carson City, the following request is required: A request to change the Master Plan designation of a portion (.053 acres) of APN 008-754-21 from Parks and Recreation (PR) to Medium Density Residential (MDR) and to change the Master Plan designation of a portion (.246 acres) of APN 008-754-19 from Medium Density Residential (MDR) to Parks and Recreation (PR) on properties located on West Bonanza Drive and 653 Shenandoah Drive. This applicant will be processed concurrently with ZMA-06-125.

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.

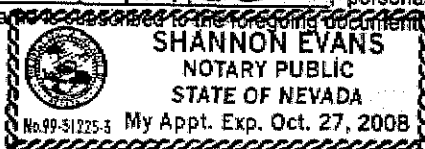
Signature: [Signature] Address: 201 N. Carson St. #2 Carson City, NV 89701 Date: 8/4/06

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

STATE OF NEVADA
 COUNTY

On August 4, 2006, Linda Powell Ritter, personally appeared before me, a notary public, personally shown (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.

[Signature]
 Notary Public



ADDENDUM I

THIS ADDENDUM is hereby made a part of that certain application to the Carson City Planning Commission by Larsen / Carson City for a MPA-06-139 on Assessor's Parcel Number 008-754-21 008-754-19. A copy of said application is attached hereto.

OWNER'S AFFIDAVIT (To be executed by the legal property owner(s) in addition to those legal owners on the subject application).

STATE OF NEVADA)
CARSON CITY ^{ss}

I, Carol S. Larsen, being duly sworn, depose and say that I am a legal owner of the property involved in the subject application, that the statements herein contained in that application are in all respects, true and correct to the best of my knowledge.

Carol S. Larsen
Signature

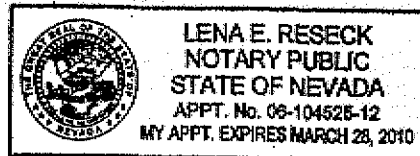
8-15-06
Date

Mailing Address: 653 Shenandoah Dr
Carson City NV

Telephone: (775) 885 2809

SUBSCRIBED AND SWORN BEFORE ME
THIS 15th DAY OF August, 2006

Lena E. Reseck
Notary Public



PROPOSAL QUESTIONNAIRE REQUIREMENTS

Please list each question, then your response after each question.

To respond to a), please review the Goals and Policies listed in the Master Plan excerpt at the back of this packet. Choose as many of the Goals and its accompanying Policies that you can find to support your request for a Master Plan Amendment. After listing each one, state in your own words how your request meets each listed Goal and Policy.

To respond to questions b), c) and d), list the question, then respond in your own words to each question, listing adjacent land uses and fully explaining how your proposal is compatible, provides a desired growth pattern for Carson City and the changes that have occurred between the time the Master Plan was adopted and the present time.

The applicant must make a finding of fact of a), b) and d), and c) if applicable, of the following:

a) Consistency with Master Plan.

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

See ZMA-06-125 Master Plan Policy Checklist for Master Plan and Zoning Map Amendments.

b) Compatible Land Uses.

- 1) The proposed amendment will provide for land uses compatible with existing adjacent land uses, and will not adversely impact the public health, safety or welfare.

The proposed amendment will not increase the land uses that are currently allowed pursuant to CCMC 18.04 Use Districts. The uses related to existing and adjacent land uses are not anticipated to change as a result of the proposed MPA. The proposed amendment will not adversely impact the public health safety or welfare, rather the intention is the clearly document the proper ownership of public and private property. In addition to allowing the agreement referenced in Larsen v. Carson City Supreme Court Case No. 47135.

c) Response to Change Conditions

- 1) The proposed amendment addresses changed conditions that have occurred since the plan was adopted by the Board of Supervisors and the requested amendment represents a more desirable utilization of land.

There have been no recent changes to the Carson City Master Plan Land Use map since the most recent adoption on April 06, 2006. The only recent change addressed to the subject parcels is the agreement referenced in Larsen v. Carson City Supreme Court Case No. 47135. The proposed amendment will not result in a change to the current utilization of land.

d) Desired Pattern of Growth.

- 1) The proposed amendment will promote the desired pattern for the orderly physical growth of the city and guides development of the city based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.

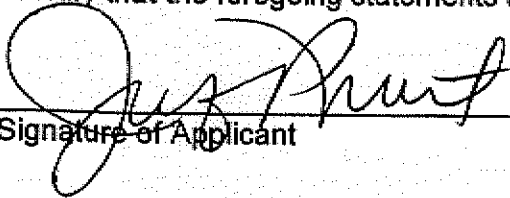
The proposed amendment will not increase physical growth in Carson City. The proposed amendment will not impact (increase) the projected population growth in Carson City and will not result in the impairment of any natural resources. Natural resources can include and are not limited to lakes, wetlands, clear streams, forests, wildlife, farm lands and scenic vistas.

INCLUDE THE FOLLOWING ACKNOWLEDGMENT AT THE CONCLUSION OF YOUR FINDINGS:

ACKNOWLEDGMENT OF APPLICANT

The following acknowledgment and signature are to be the responses to the questionnaire prepared for the project. The original signed response and 30 copies (a total of 31 copies are to be submitted.)

I certify that the foregoing statements are true and correct to the best of my knowledge and belief.



Signature of Applicant

8-15-04

Date

Carson City Planning and Community Development
 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:

FILE # ZMA-06-125

ZONING MAP AMENDMENT

PROPERTY OWNER

City of Carson City
 Larsen, Elmer & Carrol 2003 Trust

FEE: \$1,500.00 + noticing fee -NA

SUBMITTAL PACKET

MAILING ADDRESS, CITY, STATE, ZIP

3303 Butti Way #7, Carson City 89701
 63 Shenandoah Drive, Carson City 89706

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

Application Reviewed and Received By:

E-MAIL ADDRESS plandept@ci.carson-city.nv.us

PHONE # (775) 887-2180 **FAX #** (775) 887-2278

Submittal Deadline: See attached 2006 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.

Name of Person to Whom All Correspondence Should Be Sent

APPLICANT/AGENT

City of Carson City
 Planning and Community Development Division

MAILING ADDRESS, CITY, STATE ZIP

2621 Northgate Lane Suite 62
 Carson City, Nevada 89706

PHONE # (775) 887-2180 **FAX #** (775) 887-2278

E-MAIL ADDRESS

plandept@ci.carson-city.nv.us

Project's Assessor Parcel Number(s)
 008-754-21
 008-754-19

Street Address
 W. Bonanza Drive
 653 Shenandoah Drive

ZIP Code
 89706
 89706

Project's Master Plan Designation
 Parks and Recreation (PR)
 Low Density Residential (LDR)

Project's Current Zoning
 Public Community (PC)
 Single Family One Acre (SF1A)

Nearest Major Cross Street(s)
 Imus Road

Briefly describe the components of the proposed project: In accordance with Carson City Municipal Code (CCMC), Section 18.02.075

As a result of Supreme Court Case No. 47135 (Larsen v. Carson City) Carson City is responsible for adjusting the property lines between the subject parcels (APNs 008-754-21 and 008-754-19). The Lot Line Adjustment will require portions of the subject parcels to be re-zoned to allow for consistency and zoning compatibility of the subject parcels. This request is to change the zoning of a portion (.053 acres) of APN 008-754-21 from Public Community (PC) to Single Family One Acre (SF1A) and to change the zoning of a portion (.246 acres) of APN 008-754-19 from Single Family One Acre (SF1A) to Public Community (PC), on properties located on West Bonanza Drive and 653 Shenandoah Drive. This application is being process concurrently with MPA-06-139.

PROPERTY OWNER'S AFFIDAVIT

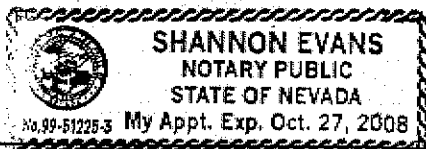
I, Linda Ritter, being duly deposed, do hereby affirm that I am the record owner of the subject property, and that I have knowledge of, and I agree to, the filing of this application.

Signature: [Signature] Address: 201 N Carson St. #2 Carson City, NV 89701 Date: 8/4/06

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

On August 4, 2006 Linda Powell 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.

[Signature]
 Notary Public



ADDENDUM I

THIS ADDENDUM is hereby made a part of that certain application to the Carson City Planning Commission by Garson/Carson City for a ZMA-06-126 on Assessor's Parcel Number 008-754-19 008-754-21. A copy of said application is attached hereto.

OWNER'S AFFIDAVIT (To be executed by the legal property owner(s) in addition to those legal owners on the subject application).

STATE OF NEVADA)

CARSON CITY

ss

[Signature]

I, Carol S. Garson, being duly sworn, depose and say that I am a legal owner of the property involved in the subject application, that the statements herein contained in that application are in all respects, true and correct to the best of my knowledge.

[Signature]

Signature

Carol S. Garson

8-15-06

Date

Mailing Address: 653 Sherman Court DR
Carson City NV

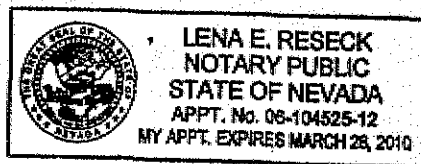
Telephone: (775) 885 2809

SUBSCRIBED AND SWORN BEFORE ME

THIS 15th DAY OF August, 2006

Lena E. Reseck

Notary Public



As a result of Supreme Court Case No. 47135 (Larsen v. Carson City) Carson City is responsible for adjusting the property lines between the subject parcels (APNs 008-754-21 and 008-754-19). The Lot Line Adjustment (LLA) will require portions of the subject parcels to be re-zoned to allow for consistency and zoning compatibility of the subject parcels. The LLA will also result in APN 008-754-19 being substandard in size of .902 acres, which is less than the required 1.0 acre minimum pursuant to the Carson City Municipal Code 18.04.190, Residential District Intensity and Dimensional Standards.

This ZMA request is to change the zoning of a portion of APN 008-754-21 from Public Community (PC) to Single Family One Acre (SF1A) and to change the zoning of a portion of APN 008-754-19 from Single Family One Acre (SF1A) to Public Community (PC), on properties located on West Bonanza Drive and 653 Shenandoah Drive.

See attachment (Sketch Plan for Re-zoning of Parcels). The proposed ZMA will result in Parcel E .002 acres change of zoning from PC to SF1A and Parcel D .051 acres change of zoning from PC to SF1A. In addition to Parcel C .246 acres change of zoning from SF1A to PC.

Zoning Map Amendment Questionnaire

- I. The proposed Zoning Map Amendment will further, and be in keeping with, and not contrary to the Master Plan Policy Checklist.

Master Plan Policy Checklist
Master Plan and Zoning Map Amendments

CHAPTER 3. A BALANCED LAND USE PATTERN

The Carson City Master Plan seeks to establish a balance of land uses within the community by providing employment opportunities, a diverse choice of housing, recreational opportunities, and retail services.

Discourage growth outside areas planned to be served by community water and wastewater facilities as identified in the Water and Wastewater Master Plans.

The proposed zoning map amendment (ZMA) Master Plan amendment (MPA) will not result in growth outside areas planned to be served by community water and wastewater facilities as identified in the Water and Wastewater Master Plans.

Promote hill and redevelopment plan identified priority areas only.

The proposed ZMA/MPA will not promote hill and redevelopment plan identified priority area.

Discourage re-zoning of properties that create friction zones between adjacent land uses, particularly residential and residential uses.

The proposed ZMA/MPA will not create a friction zone. The proposed ZMA/MPA will assist in the facilitation of the agreement that resulted in the Supreme Court Case No. 47135 (Larsen v. Carson City).

Meet the location criteria for the applicable land use designation (land use descriptions).

CHAPTER 4: EQUITABLE DISTRIBUTION OF RECREATIONAL OPPORTUNITIES

The Carson City Master Plan seeks to continue providing a diverse range of park and recreational opportunities to include facilities and programming for all ages and varying interests to serve both existing and future neighborhoods.

Does or does the proposed amendment:

Provide opportunities to expand parks and recreation opportunities (4.2a)?

The proposed ZMA/MPA will not result in an expansion of uses associated with the adjacent property owned by Carson City or on property owned by Elmer and Carol Larsen. The adjacent drainage facility will continue to operate as it has in the past.

The effect of the proposed Zoning Map Amendment on the immediate vicinity will not be detrimental to the immediate vicinity.

A. Describe the land uses and zoning adjoining your property (for example, North: two houses, Single-Family One Acre, zoning: east: restaurant, Retail Commercial zoning, etc.)

North: Zoning Single Family 6,000 and Single Family One Acre (SF6/SF1A) residential

South: Single-Family One Acre (SF1A) residential

West: Zoning Single Family 6,000 and Single Family One Acre (SF6/SF1A) residential

East: Single-Family One Acre (SF1A) residential

B. Describe land use and zoning changes in the general vicinity which have occurred in the previous five-year period.

One of the subject parcels 008-754-21 (Carson City) was previously zoned SE12000/SF1A. In 2002 Carson City re-zoned all of the City owned parcels to either Public Neighborhood, Public Community or Public Regional. As a result of the re-zoning APN 008-754-21 was re-zoned to Public Community. This is the only zoning map amendment within the vicinity within the previous five year period.

C. Explain why the proposed zone change is similar to existing development in the neighborhood, and why it will not hurt property values, or cause problems with neighboring property owners and why the proposed Zoning Map Amendment will not be detrimental to the immediate vicinity.

It is the intention of the proposed ZMA/MPA to not hurt property values. This ZMA/MPA will allow the proper zoning and master plan to exist on the subject parcels. In addition to resulting in a public parcel owned publically zoned Public Community in its entirety and the other parcel owned privately and zoned Single Family One Acre in their entirety.

That there is merit and value in the proposed development for the community as a whole.

- A. Explain the short range and long range benefit to the people of Carson City that will occur if your project is approved.

Short range benefit would be to allow the agreement that resulted in Supreme court Case No. 47135 to be completed.

Long range benefit will allow City facilities to be zoned and owned accordingly as well as master planned accordingly.

That sufficient consideration has been exercised by the applicant in adapting the project to existing improvements in the area. Be sure to indicate the source of the information that you are providing (private engineer, Development Engineering, title report, or other sources). Describe how your proposed Zoning Map Amendment will not adversely impact drainage, sewer, water, traffic, schools, emergency services, roadways and other city services.

- A. Is drainage adequate in the area to support the density that may occur with the re-zoning? How will drainage be accommodated? How have you arrived at this conclusion?

The proposed ZMA will not result in an increase of density in the area. There will be no changes in drainage anticipated as a result of the proposed ZMA.

- B. Are the water supplies in the area of your project adequate to meet your needs without degrading supply and quality to others? Is there adequate water pressure? Are the lines in need of replacement? Talk to the Utilities Department for the required information.

Water supply will not be impacted by the proposed ZMA. There will be no new project associated with the proposed ZMA. This information has been verified by the Development Engineering Division.

- C. Are roadways sufficient in the area to serve the density that may occur from the re-zoning? How have you arrived at this conclusion?

There will be no increase of density as a result of the proposed ZMA. No impacts to the existing roadways are anticipated. As mentioned above the purpose of the proposed ZMA is to allow the agreement that resulted in Supreme Court Case No. 47135 to be completed.

- D. Will the school district be able to serve the student population that may occur from the re-zoning? How have you arrived at this conclusion?

The proposed ZMA will not result in impacts to the existing student population served by the Coon Valley School District.

The school district will not be impacted by the proposed rezoning. The proposed rezoning will result in additional residential, multi-family dwelling units.

- E. Are adequate means of access available for emergency vehicles to serve the site? What is the approximate response time for emergency vehicles? If your application is approved for a rezoning of the property, will additional means of access be required to increase density? Or will existing access ways be adequate? How have you arrived at this conclusion?

The access to the subject parcels will not change as a result of the proposed ZMA. The response to the subject parcels will not change as a result of the proposed ZMA. Additional means of access will not be required, no increase of density is proposed as a result of the proposed ZMA. This information has been verified by the Development Engineering Division.

ACKNOWLEDGMENT OF APPLICATION

Please type the following signed statement at the end of your application questionnaire.

I certify that the foregoing statements are true and correct to the best of my knowledge and belief.

Applicant

Date

Carson City Planning and Community Development
 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:

CCMC 18.02

FILE # VAR - 06 -156

VARIANCE

FEE: \$500.00 + noticing fee

SUBMITTAL PACKET

- ✓ Application Form
- ✓ Site Plan
- NA Building Elevation Drawings and Floor Plans
- ✓ Proposal Questionnaire With Both Questions and Answers Given
- ✓ Applicant's Acknowledgment Statement
- ✓ 26 Completed Application Packets (1 Original + 25 Copies)
- NA Documentation of Taxes Paid-to-Date

Application Reviewed and Received By: _____

Submittal Deadline: See attached 2006 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.

PROPERTY OWNER
 Larsen, Elmer & Carrol 2003 Trust

MAILING ADDRESS, CITY, STATE, ZIP
 63 Shenandoah Drive, Carson City 89706

PHONE # _____ **FAX #** _____

Name of Person to Whom All Correspondence Should Be Sent
APPLICANT/AGENT
 City of Carson City
 Planning and Community Development Division

MAILING ADDRESS, CITY, STATE ZIP
 2621 Northgate Lane Suite 62
 Carson City, Nevada 89706

PHONE # (775) 887-2180 **FAX #** (775) 887-2278

E-MAIL ADDRESS
 plandept@ci.carson-city.nv.us

Project's Assessor Parcel Number:
 008-754-19

Street Address
 653 Shenandoah Drive

ZIP Code
 89706

Project's Master Plan Designation
 Medium Density Residential (MDR)

Project's Current Zoning
 Single Family One Acre (SF1A)

Nearest Major Cross Street(s)

Briefly describe your proposed project: (Use additional sheets or attachments if necessary)

In accordance with Carson City Municipal Code (CCMC) Section: 18.04.190 Residential District Intensity and Dimensional Standards, a request to allow a variance as follows:

To allow the reduction of the minimum lot area of one acre to .90 acres as a result of Supreme Court Case No. 47135 (Larsen v. Carson City). Carson City is responsible for adjusting the subject property line which will result in a parcel which is less than the one acre minimum lot size. The Variance request is for approximately .10 acres.

PROPERTY OWNER'S AFFIDAVIT

Elmer & Carrol S. Larsen 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.

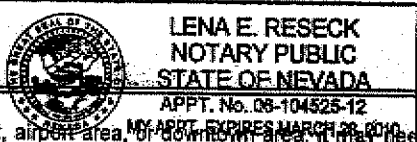
Signature *Elmer S. Larsen* Address 653 SHENANDOAH DR Date 8-15-06
 Carson City NV

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

STATE OF NEVADA
 COUNTY Carson City

On August 15th, 2006, Elmer & Carrol Larsen, 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.

Lena E. Reseck
 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, Planning and Community Development Department personnel can help you make the above determination.

VARIANCE APPLICATION QUESTIONNAIRE

FINDINGS

Question 1. Describe the special circumstances or conditions applying to the property under consideration which exist making compliance with the provisions of this title difficult and a cause of hardship to, and abridgment of a property right of the owner of the property; and describe how such circumstances or conditions do not apply generally to other properties in the same land use district and explain how they are not self-imposed.

Explanation A. Think about your situation and state what is different about your property that makes your variance request necessary. Is it the topography, the design, size, etc. of your parcel, and why can you not redesign your project to fit within code requirements? Please understand that a "self-imposed" or "financial" hardship is not considered adequate reason for granting of a variance.

This Variance request is a direct result of the agreement reference in Larsen v. Carson City Supreme Court Case No. 47135. As a result of the agreement the Planning Division will process a Master Plan Amendment, Zoning Map Amendment, Lot Line Adjustment and this Variance request. This Variance request is not a self imposed hardship nor a financial hardship. The hardship is specific to the subject parcel and is in direct relation to the adjacent City owned parcel use as a drainage facility. The special circumstances related to the subject site do not generally apply to other properties within the Single Family One Acre zoning district.

Question 2. Explain how granting of the variance is necessary to do justice to the applicant or owner of the property without extending any special privilege to them.

The subject parcel will still be subject to the CCMC standards related to the SF1A zoning district. There is no change of the use of the subject lot as a result of the proposed Variance request. As mentioned above this Variance request is a direct result of the agreement reference in Larsen v. Carson City Supreme Court Case No. 47135.

Question 3. Explain how the granting of the variance will not result in material damage or prejudice to the other properties in the vicinity nor be detrimental to the public health, safety and general welfare.

The applicant will continue to use the subject parcel as a single family dwelling unit. The proposed Variance will not increase the land uses that are currently allowed pursuant to CCMC 18.04 Use Districts. The uses related to existing and adjacent land uses are not anticipated to change as a result of the proposed Variance. The proposed Variance will not adversely impact the public health safety or welfare, rather the intention is the clearly document the proper ownership of public and private property. The lot lines of the subject parcel will be amended which will result in the subject lot of .90 acres. In addition to allowing the agreement referenced in Larsen v. Carson City Supreme Court Case No. 47135.

ACKNOWLEDGMENT OF APPLICANT

I certify that the foregoing statements are true and correct to the best of my knowledge and belief. I agree to fully comply with all conditions as established by the Planning Commission/ Board of Supervisors. I am aware that this permit becomes null and void if the use is not initiated within one year of the date of the Planning Commission/Board of Supervisors approval; and I understand that this permit may be revoked for violation of any of the conditions of approval. I further understand that approval of this application does not exempt me from all City Code requirements.


Applicant's Signature

Date 0-15-04