

**City of Carson City
Agenda Report**

Date Submitted: December 6, 2011

Agenda Date Requested: December 15, 2011

Time Requested: 5 minutes

To: Mayor and Board of Supervisors

From: Public Works - Planning Division

Subject Title: For Possible Action: To approve a Master Plan Amendment application to change the land use designation from Public/Quasi-Public to Medium Density Residential (MDR) on a portion of property located at 1946 Hamilton Avenue, APN 002-523-18. (MPA-11-056) (Lee Plemel)

Summary: Carson City approved the sale of property, with a master plan designation of Public, to an adjacent land owner. This amendment would correct the master plan designation to residential consistent with the actual ownership and use of the property.

Type of Action Requested:

☐ Resolution
☒ Formal Action/Motion

☐ Ordinance
☐ Other (Specify)

Does This Action Require A Business Impact Statement: () Yes (X) No

Planning Commission Action: Recommended approval on November 30, 2011 by a vote of 7 ayes and 0 nays.

Recommended Board Action: I move to approve a Master Plan Amendment application to change the land use designation from Public/Quasi-Public to Medium Density Residential on property located at 1946 Hamilton Avenue, APN 002-523-18, based on the findings contained in the staff report.

Explanation for Recommended Board Action: The Board of Supervisors is required to take final action on all Master Plan Amendments. 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) Resolution 2011-PC-5
- 2) Case Record
- 3) Staff report

Prepared By: Janice Brod, Grants Program Coordinator

Reviewed By:


(Planning Division Director)

Date: 12-6-11


(Public Works Director)

Date: 12/6/11


(City Manager)

Date: 12/6/11


(District Attorney's Office)

Date: 12/6/11


(Finance Director)

Date: 12/6/11

Board Action Taken:

Motion: _____

- 1) _____
- 2) _____

Aye/Nay

(Vote Recorded By)

RESOLUTION 2011-PC-5

A RESOLUTION RECOMMENDING TO THE BOARD OF SUPERVISORS APPROVAL OF MPA-11-056, A MASTER PLAN AMENDMENT TO CHANGE THE LAND USE MAP DESIGNATION FOR PROPERTY LOCATED AT 1946 HAMILTON AVE, CHANGING APPROXIMATELY A 10,763 SQUARE FOOT PORTION OF APN 002-523-18 BETWEEN 1712 KARIN DRIVE TO THE WEST AND 1792 KARIN DRIVE TO THE EAST FROM PUBLIC/QUASI-PUBLIC AND RIGHT-OF-WAY TO MEDIUM 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 November 30, 2011, the Planning Commission obtained public testimony and duly considered recommendations and findings for the proposed master plan amendment and approved Master Plan Amendment MPA-11-056 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, the proposed Master Plan land use designations would be consistent with the existing and intended uses of the property

NOW, THEREFORE, the Carson City Planning Commission hereby recommends to the Board of Supervisors approval of the Master Plan Amendment to change the Land Use Map designation of property located in and around the vicinity of 1946 Hamilton Ave, changing an approximately 10,763 square foot portion of APN 002-5223-18 between 1712 Karin Drive to the west and 1792 Karin Drive to the east from Public/Quasi-Public and right-of-way to Medium Density Residential, as illustrated in the attached "Exhibit A".

Upon motion by Commissioner Malkiat Dhami, seconded by Commissioner Mark Sattler, the foregoing resolution was passed and adopted this 30th day of November, 2011, by the following vote:

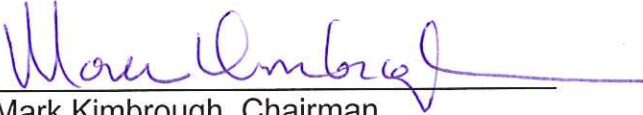
AYES: Commissioner Malkiat Dhami
 Commissioner Mark Sattler
 Commissioner Paul Esswein
 Commissioner Jim Shirk
 Commissioner William Vance
 Commissioner George Wendell
 Chairperson Mark Kimbrough

RESOLUTION NO. 2011-PC-5

NAYS: None

ABSENT: None

ABSTAIN: None



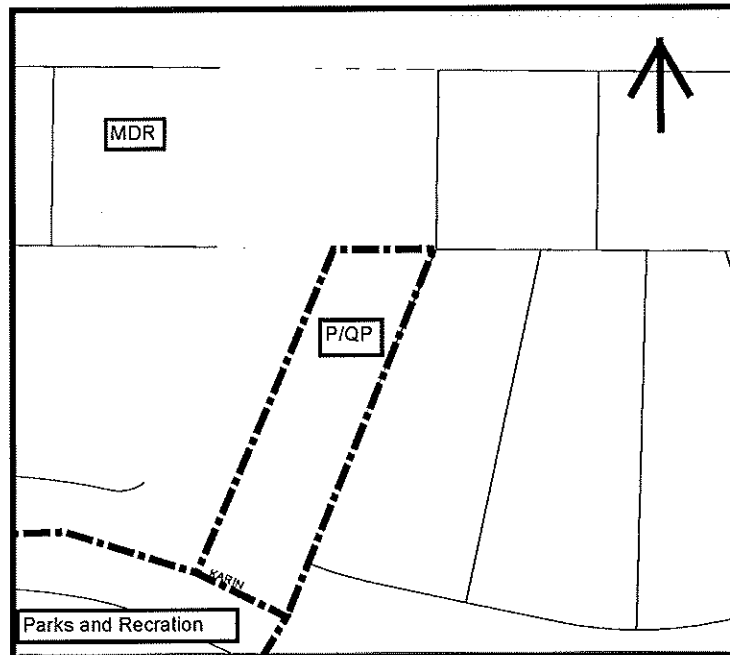
Mark Kimbrough, Chairman

ATTEST:

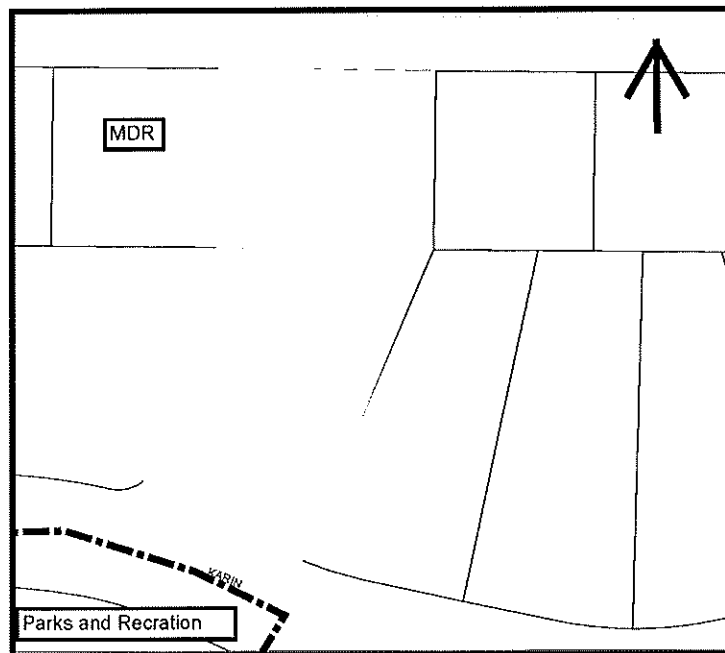


LEE PLEMEL, AICP
Planning Director

EXISTING MASTER PLAN



PROPOSED MASTER PLAN



CARSON CITY PLANNING COMMISSION

CASE RECORD

MEETING DATE: November 30, 2011

AGENDA ITEM NO.: H-1(A)

APPLICANT(s) NAME: Carson City Planning
PROPERTY OWNER(s): Robert Morris & Kay Ellen Armstrong

FILE NO. MPA-11-056

ASSESSOR PARCEL NO(s): 002-523-18
ADDRESS: 1946 Hamilton Avenue

APPLICANT'S REQUEST: For Possible Action: To make a recommendation to the Board of Supervisors regarding a Master Plan Amendment to change the land use designation from right-of-way and Public/Quasi-Public to Medium Density Residential (MDR) on property located at 1946 Hamilton Avenue, APN 002-523-18.

COMMISSIONERS PRESENT: ☒ KIMBROUGH ☒ MULLET ☒ HEATH
 ☒ DHAMI ☒ SHIRK ☒ VANCE ☒ WENDELL

STAFF REPORT PRESENTED BY: Lee Plemel ☒ REPORT ATTACHED
STAFF RECOMMENDATION: ☒ APPROVAL ☐ DENIAL
APPLICANT REPRESENTED BY: Robert Morris & Kay Ellen Armstrong

☒ APPLICANT/AGENT
PRESENT

☒ APPLICANT/AGENT
SPOKE

☐ APPLICANT/AGENT
NOT PRESENT

☐ APPLICANT/AGENT
DID NOT SPEAK

APPLICANT/AGENT INDICATED THAT HE/SHE 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: N/A

MOTION WAS MADE TO ADOPT RESOLUTION WITH THE FINDINGS AS ENUMERATED ON THE STAFF REPORT.

MOVED: DHAMI SECOND: SATTLER PASSED: 7/AYE 0/NO 0/ABSTAIN 0/ABSENT

SCHEDULED FOR THE BOARD OF SUPERVISORS

DATE: December 15, 2011

STAFF REPORT FOR PLANNING COMMISSION MEETING OF NOVEMBER 30, 2011

FILE : MPA-11-056

AGENDA ITEM: H-1(A)

STAFF AUTHOR: Kathe Green, Assistant Planner

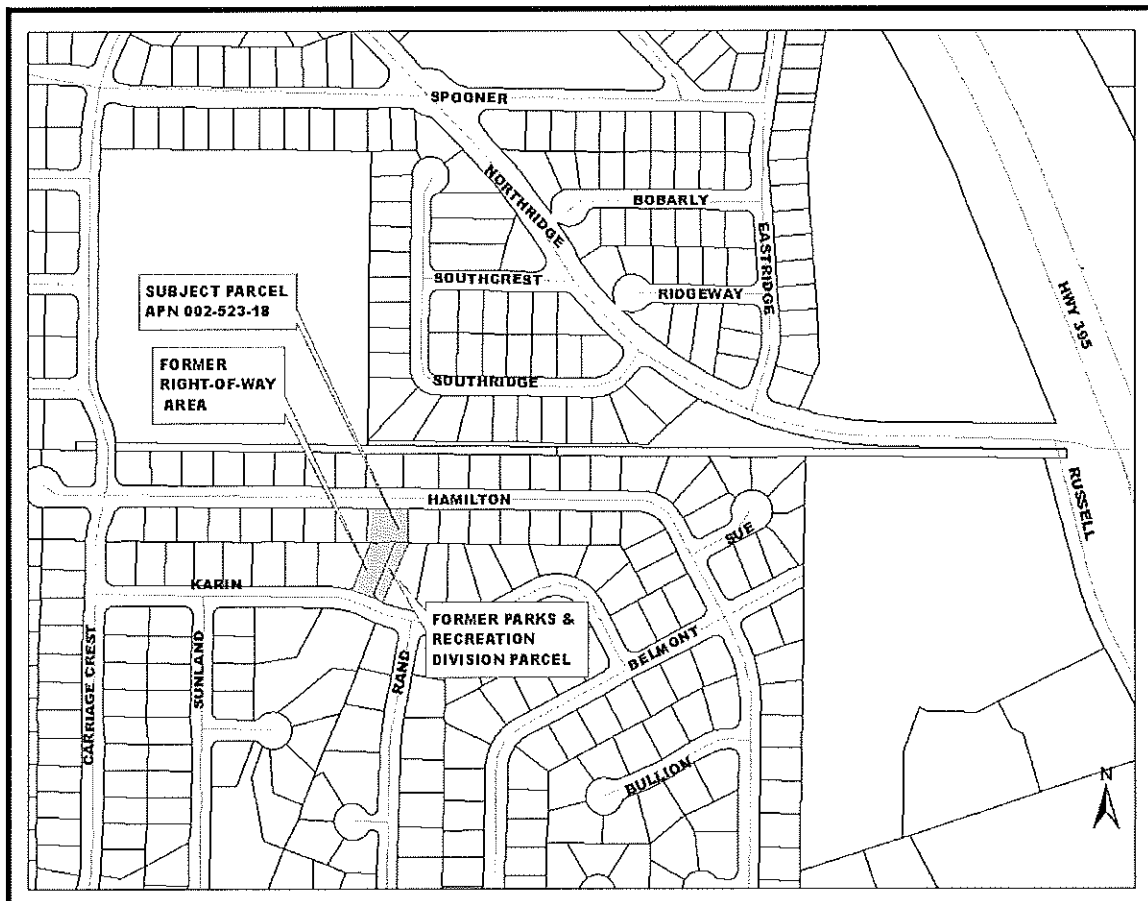
REQUEST: A Master Plan Amendment to change the Land Use designation of a portion of APN 002-523-18 from Public/Quasi-Public (approximately 4,041 square feet) and right-of-way (approximately 6,722 square feet) or a total of approximately 10,763 square feet to Medium Density Residential.

APPLICANT: Carson City

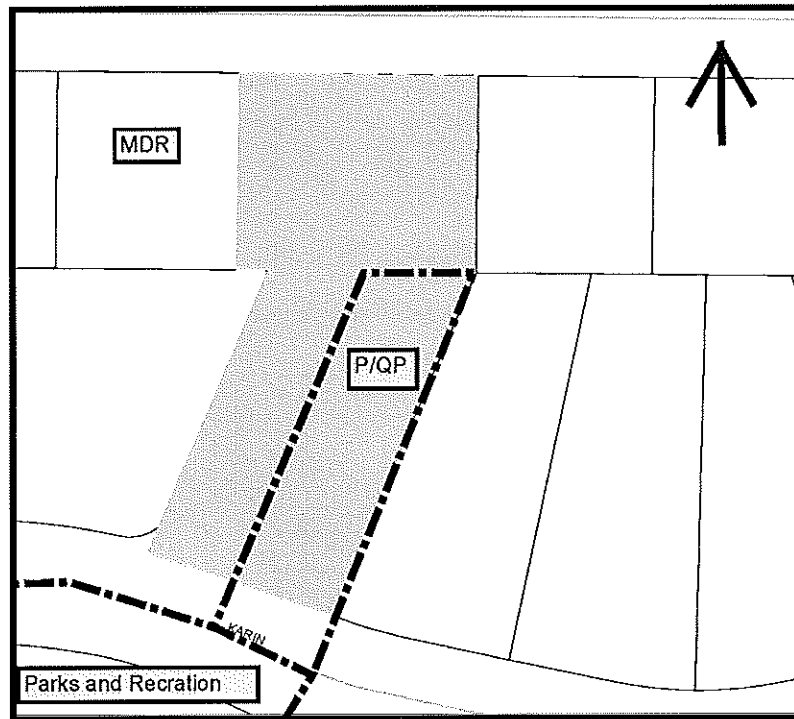
OWNER: Robert T Morris and Kay Ellen Armstrong

LOCATION/APN: 1946 Hamilton Ave/002-532-18

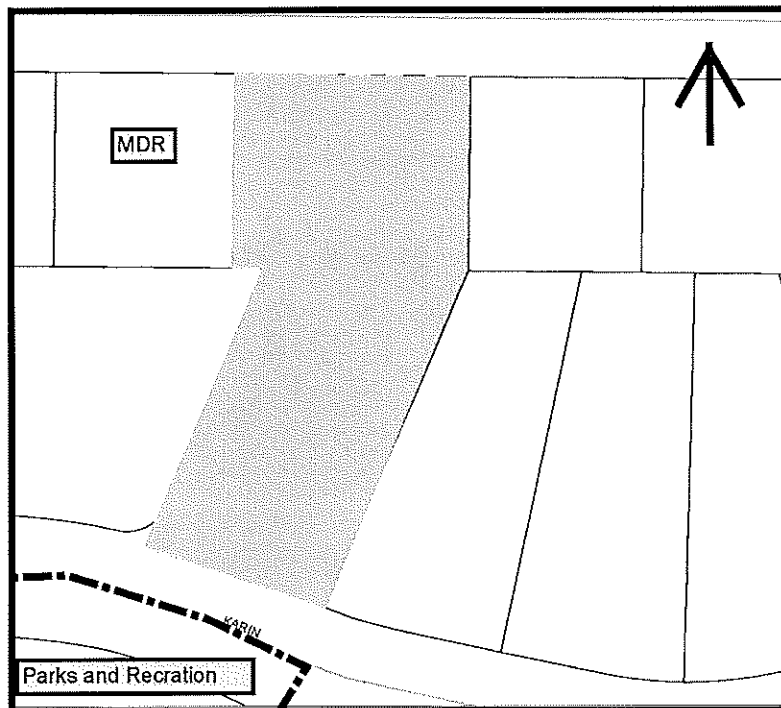
RECOMMENDED MOTION: "I move to adopt Resolution 2011-PC-5 recommending to the Board of Supervisors approval of MPA-11-056, a Master Plan Amendment to change the Land Use designation of a portion of APN 002-532-18 and right-of-way, from Public/Quasi-Public and right-of-way to Medium Density Residential based on the findings contained in the staff report."



EXISTING MASTER PLAN



PROPOSED MASTER PLAN



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

MASTER PLAN DESIGNATION: Public/Quasi-Public

PROPOSED MASTER PLAN DESIGNATION: Medium Density Residential

BACKGROUND:

The property under discussion is zoned Single Family 6000 with a master plan designation of Medium Density Residential on the northern portion. However, the parcel was recently modified to include two parcels which were sold by Carson City to the property owner. The parcel on the southeast was owned by the Carson City Parks and Recreation Division and is zoned Public Neighborhood, with a master plan designation of Public/Quasi-Public. The parcel on the southwest was right-of-way. The original parcel on the north was approximately 8,045 square feet. When the Parks and Recreation Division parcel was added to this parcel it created a parcel of approximately 12,086 square feet with split zoning and Master Plan designation. The right-of-way parcel was then added to this parcel, creating a final parcel of approximately 18,808 square feet, which retained the split designations.

DISCUSSION:

The proposed Master Plan Amendment change will make the Master Plan Land Use designation consistent with the use of this site as well as the surrounding properties in the vicinity, by correcting the designation of the entire parcel to Medium Density Residential.

The proposed Master Plan designation of Medium Density Residential is consistent with surrounding property uses. When the parcel was under the Carson City Parks and Recreation Division ownership it was originally intended for use as a park. Since that use was not developed, and the parcel has been sold to an adjacent property owner, it is reasonable and consistent to change the Master Plan to the appropriate use of the site, which would reflect the current use as housing or appropriate accessory uses.

The area on the southwest was originally a right-of-way area, but the street use was never developed. A parcel map was subsequently approved to the north of this site, and a house was constructed where the roadway would have been placed as a connection to Hamilton Avenue.

PUBLIC COMMENTS: Public notices were mailed to 51 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 18, 2011, no written comments have been received in opposition or support 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:

Health Department: No comments on this project
Engineering Division: No comments received
Fire Department: No concerns with this request
Building Division: No concerns

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 Medium Density Residential land use designation is consistent with the proposed residential housing and accessory uses of the property by the present property owner. The property currently has a split designation of Medium Density Residential and Public/Quasi-Public with a portion also shown as right-of-way. The Master Plan land designation of Medium Density Residential is consistent but Public/Quasi-Public and right-of-way is not consistent with residential housing use, and therefore, is proposed to be changed to only Medium Density Residential.

The proposed amendment will be in substantial compliance with the following:

GOAL 1.1— PROMOTE THE EFFICIENT USE OF AVAILABLE LAND AND RESOURCES.

1.1b—Urban Service Area

Discourage growth in locations not currently served by urban services or not planned to be served by the city's water and wastewater infrastructure by prohibiting the rezoning of lands for urban development intensities in locations not served or planned to be served by urban services, as identified in the City's Water and Wastewater Master Plan.

The location is being served by the existing water and sewer system. No changes to the City-provided water and sewer are proposed. The owner is proposing an allowed accessory use of a swimming pool in the southern portion of the parcel.

GOAL 1.2—PROMOTE INFILL AND REDEVELOPMENT IN TARGETED AREAS

1.2a—Priority Infill and Redevelopment Areas:

Two levels of priority have been identified for areas identified for potential infill and redevelopment on the Land Use Map.

The proposed change of master plan is proposed on a portion of a site that is currently undeveloped. The portion to the north is the residence of the owner. To the east and west are existing residences. To the south of the newly created parcel is the street, then a parcel which is undeveloped which is owned by the Carson City Parks and Recreation Division. The proposed change of master plan will be in an area which is already supplied by City services including connections to sewer, water and emergency services.

GOAL 3.3—MINIMIZE IMPACTS OF POTENTIAL NATURAL DISASTER EVENTS

3.3e—Geologic Hazards

Continue to require any development with an identified earthquake fault on site to have a professional geotechnical report to establish required setbacks from the fault to structures and other mitigation measures.

The area proposed for master plan designation change is the southern portion. This location is identified on the map as an earthquake fault scarp. This area is identified by

the owner as intended for a swimming pool rather than habitable space. There is an existing residence on the northern portion of the site.

GOAL 9.3—MAINTAIN THE QUALITY AND CHARACTER OF ESTABLISHED NEIGHBORHOODS

9.3b—Compatibility of Infill and Redevelopment

Ensure that infill and redevelopment is designed in a manner that minimizes impacts on and is compatible with existing neighborhoods through the use of appropriate height and density transitions, similar setbacks and lot coverage, garage and loading area location and configuration, the development of park and recreational facilities, connectivity to existing neighborhoods by a pathways system, and other neighborhood specific design considerations.

The property owner has submitted a request to utilize the recently acquired property on the south for the placement of a swimming pool. No habitable buildings are proposed. The resulting parcel is larger than other parcels in the vicinity. A portion of the lot is not usable for habitable space, due to the earthquake fault in the vicinity.

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 former sale to the present owner of the publicly zoned park parcel and right-of-way parcel allows the property to be utilized with residential uses. The right-of-way had never been developed as a road, as the property to the north of this location was developed under an approved parcel map as a house, terminating the right-of-way area. The adjacent undeveloped parcel to the east was also sold to the property owner. This proposal is to change the Master Plan to the current use and designation of the rest of the property, as Medium Density Residential.

3. Is the proposed amendment in response to changing conditions?

Rationale: The proposed amendment is in response to a changed condition. The City approved the sale of the Park property to the adjacent property as well as sale of right-of-way area to that same property owner. A lot line adjustment was approved which added the right-of-way area and the Park parcel to the existing residential lot on the north. These processes have created a parcel which is split zoned and split master planned. This request is to coordinate master planning to one rather than two designations.

4. Will the requested amendment further the City's desired pattern of growth?

Rational: The proposed amendment will create a single master planned parcel, and will be in harmony with master planning designation of the surrounding parcels

Respectfully submitted,

PLANNING DIVISION

Kathe Green

Kathe Green Assistant Planner

Attachments:

Fire Department comments

Building Division comments

Health Department comments

Planning Commission Resolution 2011-PC-5