

**City of Carson City
Agenda Report**

Date Submitted: January 6, 2015

Agenda Date Requested: January 15, 2015

Time Requested: 10 minutes

To: Mayor and Board of Supervisors

From: Parks and Recreation Department – Open Space Division

Subject Title: For Possible Action: To accept the recommendation of the Open Space Advisory Committee for the possible acquisition of 20 acres, APN 007-051-81, trade of other city-owned parcel(s), and the expenditure up to \$30,000 for appraisals from the Open Space budget. (Ann Bollinger)

Staff Summary: The subject property is located on the north side of U.S. Highway 50 and just east of the Clear Creek Intersection. It is also located adjacent to another property purchased by the Open Space Program. In the Open Space Plan, the subject property is an area important for hillside protection. In addition, in the Unified Pathways Master Plan, a north-south trail is identified within the vicinity. The owner has offered the sale of the property to the Open Space Program; however, he is aware of the current financial limitations. The owner would consider trade of another property in Carson City – if the land is available and to be determined.

Type of Action Requested: (check one)

- Resolution Ordinance
 Formal Action/Motion Other (Specify)

Does This Action Require A Business Impact Statement: Yes No

Recommended Board Action: I move to accept the recommendation of the Open Space Advisory Committee for the possible acquisition of 20 acres, APN 007-051-81, trade of other city-owned parcel(s), and the expenditure up to \$30,000 for appraisals from the Open Space budget.

Explanation for Recommended Board Action:

In September 2014, the owner of the subject parcel, Mr. W. Michael Fagen, submitted written correspondence to staff offering the sale of 20 acres, APN 007-051-81, located on the north side of U.S. Highway 50 just east of the Clear Creek Intersection to the Open Space Program. An email dated September 8, 2014 stated his discussions with MAI appraiser Bill Kimmel who had commented that \$250,000 is a fair price for the parcel. Upon learning the current financial limitations, Mr. Fagen stated he would consider trade of another property in Carson City – if the land is available and to be determined. If a property trade is an option, the Open Space Program would be responsible to pay for all the appraisal(s).

According to the Open Space Evaluation Form, the subject parcel meets a few criteria. In the Open Space Plan, this parcel is in an area important for hillside protection. The property is adjacent to U.S. Highway 50 so it is highly visible from that direct viewpoint; however, it is not visible from the City.

Among the noteworthy attributes is the potential of trails and trail connectivity. The Carson City Unified Pathways Master Plan identifies a trail within the vicinity of this property. The conceptual trail connects Kings Canyon Road on the north to the nearly completed Clear Creek Trail on the south.

Applicable Statute, Code, Policy, Rule or Regulation:

- NRS 244.275 – Purchase or lease of property for use of county; appraisal.
- Carson City Municipal Code 13.06 – Open Space

Fiscal Impact: TBD

Explanation of Impact: A motion towards the possible acquisition does not have a fiscal impact at this time. After the potential trades and appraisers have been identified and approved by the Board of Supervisors, the expenditure up to \$30,000 for appraisals from the Open Space budget would occur. If acquired, the ad valorem tax will be reduced (\$482.22 in 2014) upon the property becoming public as opposed to private ownership.

Funding Source: Quality of Life – Open Space


Alternatives: Not approve the acquisition.

Supporting Material:

- Email correspondence from the property owner regarding estimated value
- Assessor parcel map
- Open Space Opportunities Map
- Open Space Evaluation Form and Photos

Prepared By: Ann Bollinger, Open Space Administrator

Reviewed By:  Date: 1/6/15
 (Department Head)

 Date: 1/6/15
 (City Manager)

 Date: 1/6/15
 (District Attorney)

 Date: 1/6/15
 (Finance Director)

Board Action Taken:

Motion: _____ 1: _____ Aye/Nay
 2: _____

(Vote Recorded By)

Ann Bollinger

From: W. Michael Fagen <wmfagen@hotmail.com>
Sent: Monday, September 08, 2014 4:51 PM
To: Ann Bollinger
Subject: Price on 50 & Horsecreek

Ann--

I've have spoken to MAI appraiser Bill Kimmel who did the original appraisal on Horsecreek. He says \$250k is a fair price for the 20 acre parcel on Highway 50, and \$3 million for the 201 acres at Horsecreek.

I want to be able to help CC buy the 20 acres in the short term, so I will reduce my price from \$350k to \$250k and also be willing to rebate a 10% endowment for that parcel (up to \$25k). We can also discuss HC if you think that is a sales possibility too.

If you need something more formal in the way of a letter for the committee, please let me know.

Thanks for your help,

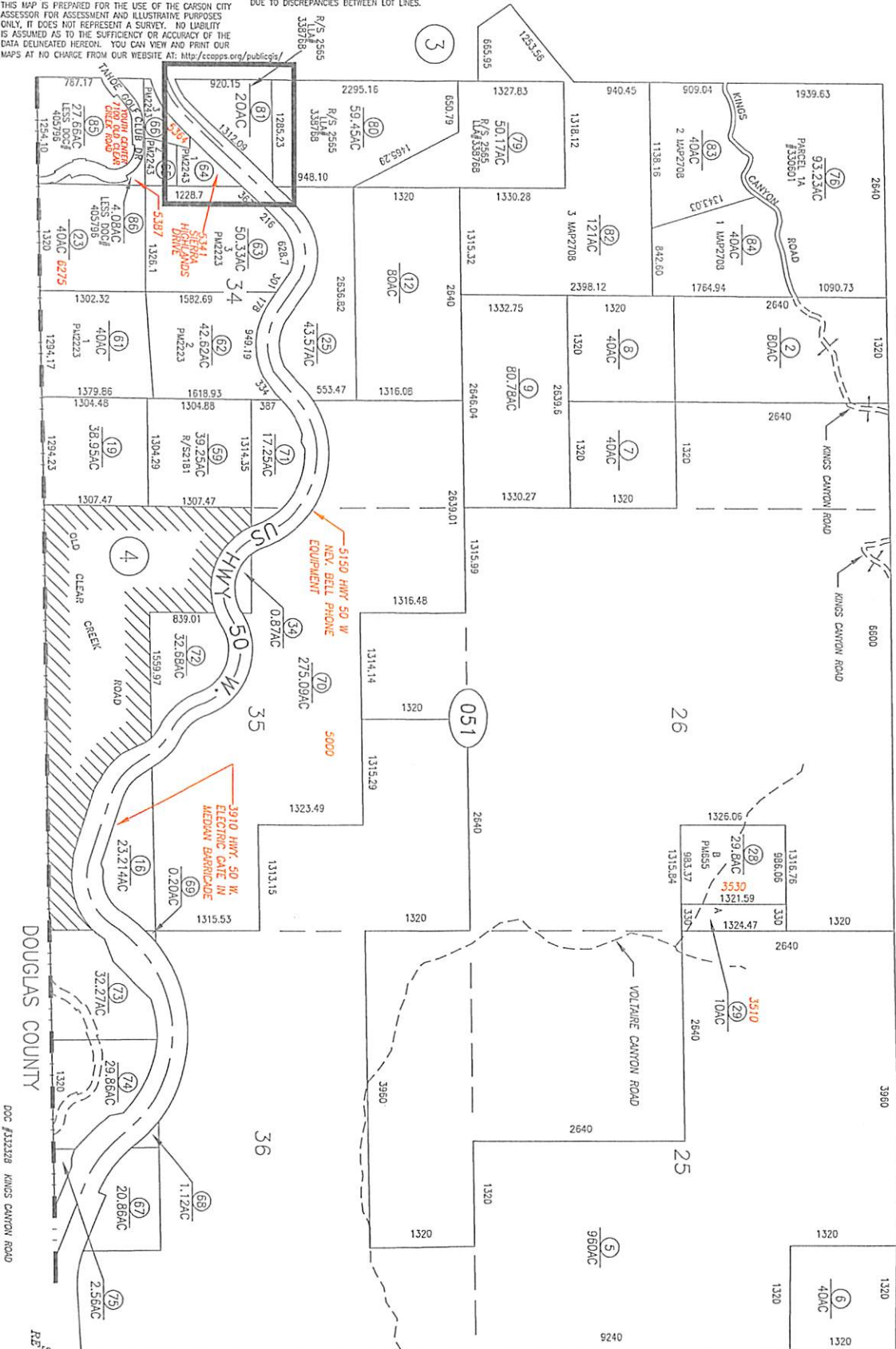
Michael

W. Michael Fagen
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Reno, NV 89511
tel: +1 (775) 849-0615
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cell: +1 (775) 338-0172
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CORRECTED ACREAGE ON PARCEL 007-051-72

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. NO LIABILITY IS ASSUMED AS TO THE SUFFICIENCY OR ACCURACY OF THE DATA DELINEATED HEREON. YOU CAN VIEW AND PRINT OUR MAPS AT NO CHARGE FROM OUR WEBSITE AT: <http://ccapps.org/publicinfo/>

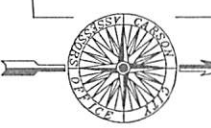
NOTE
SOME PARCELS DELINEATED HEREON MAY NOT BE PRESENTED IN TRUE SIZE, SHAPE, OR LOCATION DUE TO DISCREPANCIES BETWEEN LOT LINES.



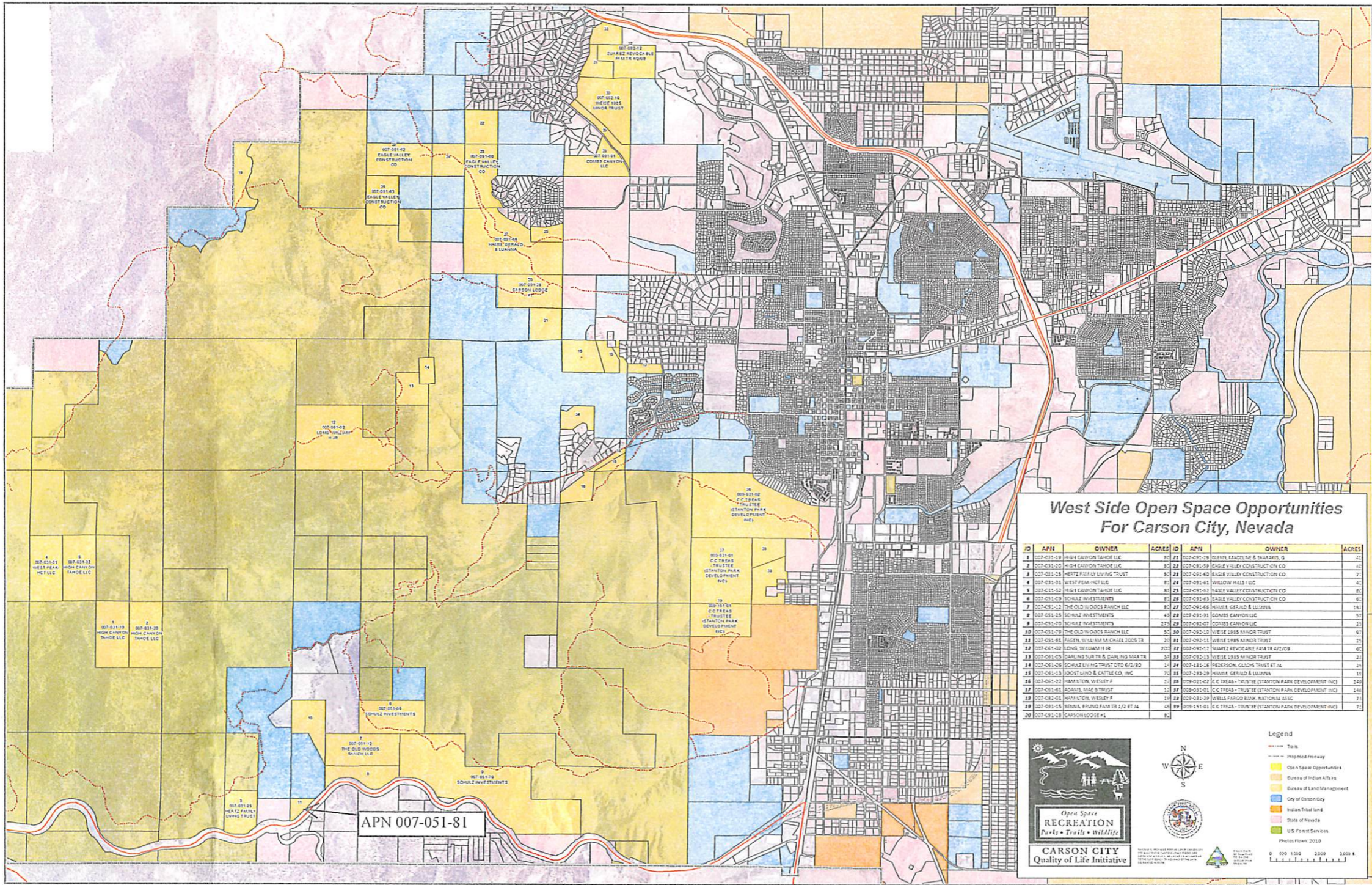
T.15 N., R.19 E., M.D.B. & M.

7-05

SCALE: 1" = 100'
REVISED: 08/12/2014



DOC #332228 KINROSS CANYON ROAD



West Side Open Space Opportunities For Carson City, Nevada

| ID | APN | OWNER | ACRES | ID | APN | OWNER | ACRES |
|----|------------|------------------------------------|-------|----|------------|--|-------|
| 1 | 007-031-09 | HIGH CANYON TIMBER LLC | 21 | 21 | 007-031-19 | WELLS FARGO BANK, NATIONAL ASSC | 21 |
| 2 | 007-031-20 | HIGH CANYON TIMBER LLC | 21 | 22 | 007-031-19 | EAGLE VALLEY CONSTRUCTION CO | 42 |
| 3 | 007-031-25 | WERTZ FAMILY LIVING TRUST | 5 | 23 | 007-031-40 | EAGLE VALLEY CONSTRUCTION CO | 21 |
| 4 | 007-031-31 | WEST PEAK-HCT LLC | 8 | 24 | 007-031-61 | WILDOW HILLS LLC | 41 |
| 5 | 007-031-32 | HIGH CANYON TIMBER LLC | 8 | 25 | 007-031-62 | EAGLE VALLEY CONSTRUCTION CO | 41 |
| 6 | 007-031-09 | SCHALZ INVESTMENTS | 6 | 26 | 007-031-63 | EAGLE VALLEY CONSTRUCTION CO | 60 |
| 7 | 007-031-12 | THE OLD WOODS RANCH LLC | 8 | 27 | 007-031-66 | HARRIS, GERRARD B LUSIGNEA | 183 |
| 8 | 007-031-28 | SCHALZ INVESTMENTS | 42 | 28 | 007-031-39 | COMBES CANYON LLC | 95 |
| 9 | 007-031-20 | SCHALZ INVESTMENTS | 27 | 29 | 007-031-07 | COMBES CANYON LLC | 61 |
| 10 | 007-031-70 | THE OLD WOODS RANCH LLC | 5 | 30 | 007-031-10 | WEESE 1985 MANDA TRUST | 21 |
| 11 | 007-031-81 | FAGEN, WILLIAM A CHASEL 2005 TR | 21 | 31 | 007-031-11 | WEESE 1985 MANDA TRUST | 21 |
| 12 | 007-041-02 | LONG, WILLIAM H JR | 200 | 32 | 007-031-12 | SUAREZ REVOCABLE FALTRA 1/2 JOB | 60 |
| 13 | 007-041-05 | DARLING RIVER TR & DARLING MAAR TR | 5 | 33 | 007-031-13 | WEESE 1985 MANDA TRUST | 21 |
| 14 | 007-041-06 | SCHALZ INVESTMENTS TRUST 07/02/02 | 24 | 34 | 007-031-14 | BENSON, GLENN TRUST ET AL | 21 |
| 15 | 007-041-13 | DOOST LAND & CATTLE CO, INC | 72 | 35 | 007-031-19 | HARRIS, GERRARD B LUSIGNEA | 183 |
| 16 | 007-041-21 | HAMILTON, WESLEY F | 2 | 36 | 009-031-02 | C C TREAS - TRUSTEE (STANTON PARK DEVELOPMENT) INC | 248 |
| 17 | 007-041-41 | LODAHS, SARA B TRUST | 1 | 37 | 009-031-01 | C C TREAS - TRUSTEE (STANTON PARK DEVELOPMENT) INC | 248 |
| 18 | 007-041-01 | HAMILTON, WESLEY F | 18 | 38 | 009-031-19 | WELLS FARGO BANK, NATIONAL ASSC | 71 |
| 19 | 007-031-25 | SEDNA, BRUNO FARM TR 1/2 ET AL | 48 | 39 | 009-131-01 | C C TREAS - TRUSTEE (STANTON PARK DEVELOPMENT) INC | 71 |
| 20 | 007-031-28 | CARSON LODGE #1 | 6 | | | | |

Legend

- Trails
- Proposed Freeway
- Open Space Opportunities
- Bureau of Indian Affairs
- Bureau of Land Management
- City of Carson City
- Indian Tribal land
- State of Nevada
- US Forest Service

Photos From 2009

0 500 1000 2000 3000 ft

APN 007-051-81

OPEN SPACE EVALUATION FORM

Landowner William Michael Fagen 2005 Trust

Assessor's Parcel Number 007-051-81

Location U.S. Highway 50 west; Sec 34 15/19 NW4 SW4

Access U.S. Highway 50 west

Zoning Conservation Reserve

Master Plan Single Family

Table A. Physical Characteristics

For each parcel, select the highest value for each physical feature. If none apply, leave blank.

| Physical Feature | Defining Authorities | Characteristics (check if present or applicable) | Value |
|--------------------------------------|---|--|---|
| Wildlife Habitats / Corridors | US Fish & Wildlife Service, NV Dept of Wildlife, or documented scientific observation | <input type="checkbox"/> Contains habitat or corridor for threatened or endangered (T&E) species <input checked="" type="checkbox"/> Contains high value habitat for non-T&E species <input type="checkbox"/> Contains migration corridor <input checked="" type="checkbox"/> Observed presence of wildlife or fish | <input type="checkbox"/> Very High <input checked="" type="checkbox"/> High <input type="checkbox"/> Medium <input checked="" type="checkbox"/> Moderate |

The habitat value ranges from medium to high. With U.S. Highway 50 lying adjacent to the property, one would expect wildlife impacts due to traffic, noise, and a fragmented landscape. To the north, the adjacent parcel is owned by Carson City (Open Space) and most of the surrounding area is also Carson City (Open Space) or U.S. Forest Service. These undeveloped areas generally provide an unfragmented landscape, thereby providing better conditions for wildlife.

The property includes a diverse plant community with a mixed-age class of conifers. The bitterbrush is a preferred browse for mule deer and provides good cover for a number of mammals and birds.

Wildlife was not actually observed; however rabbit scat was plentiful.

| | | | |
|----------------------------|--|---|--|
| Natural Communities | US Army Corps of Eng. or competent specialist, such as the Nevada Natural Heritage Program | <input type="checkbox"/> Has healthy, sustainable riparian area <input checked="" type="checkbox"/> Presence of mature canopy trees, shrubs <input type="checkbox"/> Majority of parcel with healthy native grasses <input type="checkbox"/> Contains jurisdictional (ACOE) wetlands | <input type="checkbox"/> High <input checked="" type="checkbox"/> Medium <input type="checkbox"/> Moderate <input type="checkbox"/> Low |
|----------------------------|--|---|--|

The plant community is diverse with shrubs (bitterbrush, sagebrush, and manzanita), a mixed-age class of conifers (Jeffery Pine and Ponderosa Pine) with an average of two trees per acres, and a minor component of grasses (squirreltail and bluegrass) and forbs (arrowleaf balsamroot). Cheatgrass is present but not abundant.

| | | | |
|----------------------------------|-------------------------------|---|--|
| Landform / Scenic Quality | Committee, staff, consultants | <input type="checkbox"/> Open water (lakes, ponds, river, stream) <input checked="" type="checkbox"/> Contains ridge or promontory with long views <input type="checkbox"/> Contains a valley that provides enclosure / privacy | <input type="checkbox"/> High <input checked="" type="checkbox"/> High <input type="checkbox"/> Medium |
|----------------------------------|-------------------------------|---|--|

The property generally consists of steep topography. A lower bench provides long views to the Carson Valley.

| | | | |
|-------------------|-------------------------------|---|---|
| Visibility | Committee, staff, consultants | <input checked="" type="checkbox"/> Visible from major roads <input type="checkbox"/> Visible only from local roads <input type="checkbox"/> Visible primarily from adjacent residences | <input checked="" type="checkbox"/> High <input type="checkbox"/> Medium <input type="checkbox"/> Low |
|-------------------|-------------------------------|---|---|

The property is adjacent to U.S. Highway 50.

| | | | |
|-------------|-------|---|---|
| Size | Staff | <input type="checkbox"/> Large than 40 acres <input checked="" type="checkbox"/> 20 to 40 acres <input type="checkbox"/> 10 to 20 acres | <input type="checkbox"/> High <input checked="" type="checkbox"/> Medium <input type="checkbox"/> Low |
|-------------|-------|---|---|

20 acres

| | | | |
|----------------------|-------------------------------|--|---|
| Accessibility | Committee, staff, consultants | <input checked="" type="checkbox"/> Significant portions can be opened to public <input type="checkbox"/> Limited portions opened to public use | <input checked="" type="checkbox"/> High <input type="checkbox"/> Medium |
|----------------------|-------------------------------|--|---|

While significant portions can be open to the public, access would need to be developed.

| | | | |
|----------------------------|------------------------------------|--|---|
| Historic / Cultural | State Historic Preservation Office | <input type="checkbox"/> Known or high potential archaeological resource <input type="checkbox"/> Historic designation (national, state, or local) <input type="checkbox"/> Significant local cultural feature (physical landmark, working farm, unique structure, etc.) | <input type="checkbox"/> High <input type="checkbox"/> Medium <input type="checkbox"/> Moderate |
|----------------------------|------------------------------------|--|---|

At this time, the historic and cultural resources are unknown but they are also unlikely.

| | | | |
|-------------------------|-----------------|--|--|
| Water Protection | CC Public Works | <input type="checkbox"/> Within 5 year well protection zone <input type="checkbox"/> Within 10 year well protection zone <input checked="" type="checkbox"/> Contains high-infiltration soils within watershed protection area | <input type="checkbox"/> High <input type="checkbox"/> High <input checked="" type="checkbox"/> Medium |
|-------------------------|-----------------|--|--|

According to the Open Space Plan, the "Health / Safety Considerations" map found in the appendix identifies the property in the watershed protection area.

| | | | |
|---------------------|-------------------------------------|---|---|
| Flood Hazard | Federal Emergency Management Agency | <input type="checkbox"/> Within FEMA-designated 100 year floodplain <input type="checkbox"/> Within area of known flooding | <input type="checkbox"/> Low <input type="checkbox"/> Medium |
|---------------------|-------------------------------------|---|---|

None

| | | | |
|-----------------------|------------------------|--|-------------------------------|
| Prime Farmland | US Dept of Agriculture | <input type="checkbox"/> Land has statewide agricultural importance (irrigated farmland) | <input type="checkbox"/> High |
|-----------------------|------------------------|--|-------------------------------|

None

Submitted by: _____

Date: _____

Table B. Prioritizing Factors

This part of the evaluation assumes that some form of acquisition is necessary to protect the parcel(s) not otherwise protected by existing City, State or Federal regulation (wetlands, floodplain, easements, etc.)

For each parcel check the most appropriate priority factor for each category below.

| Category | Definition (check if present) | Priority |
|-----------------------------------|--|-------------------------------|
| Uniqueness of Habitat Type | <input type="checkbox"/> One of few remaining examples of at least one characteristic in Table A | <input type="checkbox"/> High |
| | <input type="checkbox"/> Habitat or physical setting is relatively rare in Carson City | <input type="checkbox"/> Low |

No

| | | |
|----------------------------|--|--|
| Ease of Acquisition | <input type="checkbox"/> Landowner motivated to sell at less cost than market value | <input type="checkbox"/> High |
| | <input checked="" type="checkbox"/> Can be acquired with terms (options, payment structure, trade, etc.) favorable to the city | <input checked="" type="checkbox"/> Medium |
| | <input type="checkbox"/> Cost is not greater than appraised value, terms are not unfavorable | <input type="checkbox"/> Low |

The land owner is interested in a sale to the Open Space Program and willing to consider a trade.

| | | |
|--------------------------------|--|---|
| Potential To Share Cost | <input type="checkbox"/> Likely significant participation of non-city funding partners | <input type="checkbox"/> High |
| | <input type="checkbox"/> Likely participation from other funding sources | <input type="checkbox"/> Medium |
| | <input checked="" type="checkbox"/> Likely significant participation from other city departments | <input checked="" type="checkbox"/> Low |

If a trade is available, it's likely that participation from another city department will be required. A trade could provide a cost savings in the actual purchase price.

| | | |
|----------------|---|---|
| Urgency | <input type="checkbox"/> Development is imminent | <input type="checkbox"/> High |
| | <input type="checkbox"/> For sale (acquisition / development likely) | <input type="checkbox"/> Medium |
| | <input checked="" type="checkbox"/> Private negotiation, not on open market | <input checked="" type="checkbox"/> Low |

At the present time, the transaction is a private negotiation. However, if the OSAC does not wish to pursue acquisition, it is anticipated the property will be placed for sale.

| | | |
|---|--|--|
| Is a Significant Part of Open Space Plan | <input checked="" type="checkbox"/> Located within an Open Space priority area | <input checked="" type="checkbox"/> High |
| | <input checked="" type="checkbox"/> Parcel is designated on current Open Space master plan | <input checked="" type="checkbox"/> Medium |
| | <input checked="" type="checkbox"/> Adjacent to or can be linked to other Open Space parcel(s), trail(s), or park(s) | <input checked="" type="checkbox"/> Medium |

Hillside Priority Area

| | | |
|------------------------|---|---|
| Citizen Support | <input type="checkbox"/> Has city-wide citizen support / advocacy | <input type="checkbox"/> High |
| | <input type="checkbox"/> Has local citizen support | <input type="checkbox"/> Medium |
| | <input checked="" type="checkbox"/> No significant opposition | <input checked="" type="checkbox"/> Low |

Submitted by: _____

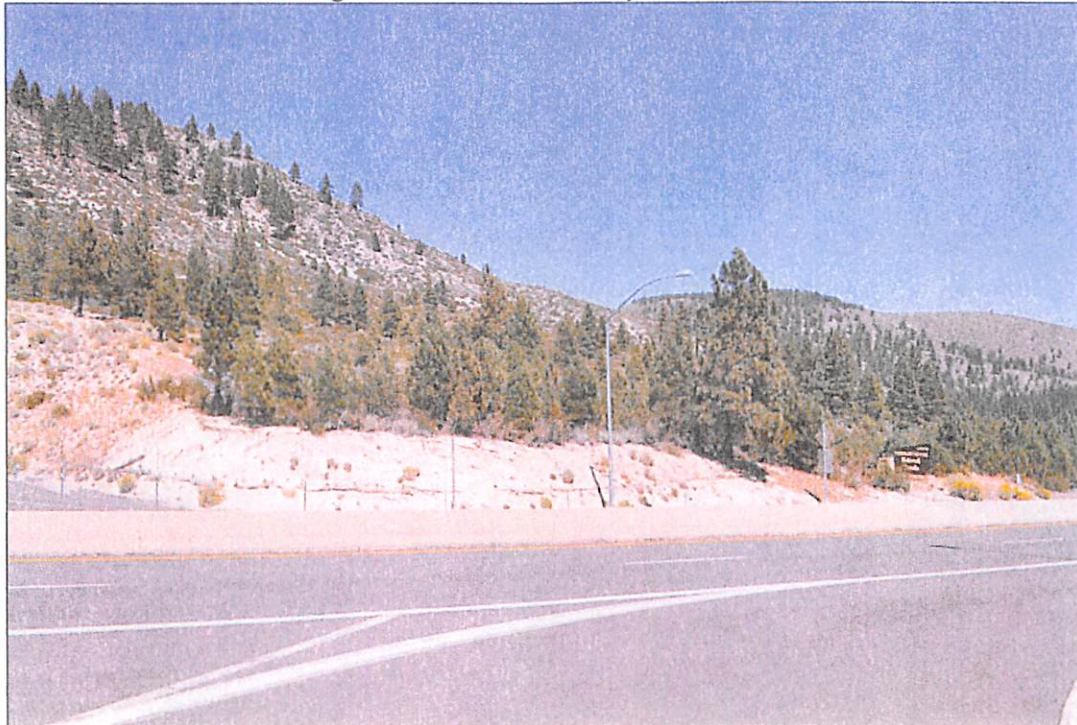
Date: _____

Photos taken September 12, 2014

Photo Point 1: View to the west.



Photo Point 2: View to the northeast, taken from across U.S. Highway 50. For reference, note the U.S. Forest Service entrance sign for the Humboldt-Toiyabe National Forest.



Photos taken September 12, 2014

Photo Point 3: View to the northwest, taken from across U.S. Highway 50.

