



# STAFF REPORT

**Report To:** Board of Supervisors

**Meeting Date:** December 21, 2017

**Staff Contact:** Ann Bollinger, Open Space Administrator (abollinger@carson.org)

**Agenda Title:** For Possible Action: To appoint and authorize the Mayor, the City Clerk Recorder, or designee to swear Mr. William G. Kimmel, MAI, as the appraiser for Carson City with regard to a self-contained summary appraisal for 20 acres of vacant land located on U.S. Highway 50 West, Assessor Parcel Number 007-051-81 and currently owned by Mr. W. Michael Fagen. (Ann Bollinger, abollinger@carson.org)

**Staff Summary:** Mr. Fagen continues his desire to see his property as an undeveloped gateway between Carson City and Lake Tahoe and wishes to sell it to Carson City. An appraisal, as required by law, will provide an opinion of property value so the Open Space Advisory Committee and Board of Supervisors can make an informed decision regarding land acquisition.

**Agenda Action:** Formal Action/Motion

**Time Requested:** Consent

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## **Proposed Motion**

I move to appoint and authorize the Mayor, the City Clerk Recorder, or designee to swear Mr. William G. Kimmel, MAI, as the appraiser, MAI, as the appraiser for Carson City with regard to a self-contained summary appraisal for 20 acres of vacant land located on U.S. Highway 50 West, Assessor Parcel Number 007-051-81 and currently owned by Mr. W. Michael Fagen.

## **Board's Strategic Goal**

Quality of Life

## **Previous Action**

January 15, 2015 - The Board of Supervisors moved 5-0 to direct staff to compile a list of appropriate trade parcels and continue a conversation with the owner (Mr. Fagen) of APN 007-051-81 to see if we can come to a mutual agreement on a trade parcel.

July 7, 2016: The Board of Supervisors moved 5-0 accept the recommendation from the Parks and Recreation Commission to pursue a land exchange with Mr. Michael Fagen for 20 acres of land he owns on the U.S. Highway 50 near the Clear Creek Interchange APN 007-051-81 for 0.81 acres of vacant park property located between Karin Drive and Sunland Court, APN 002-373-07, with the condition that costs towards acquisition do not exceed 20 percent of the estimated value of the park property.

January 19, 2017: The Board of Supervisors moved 5-0 to authorize the Parks, Recreation and Open Space Department to submit three separate Land and Water Conservation Fund Grant applications for the following projects: 1. Disc Golf Course Complex site improvements (Portion of APN 010-691-04); 2. Ross Gold Park Playground Replacement (APN 009-166-010); 3. Purchase through a fee-title acquisition 20-acres of land along U.S. Highway 50 near the Clear Creek Interchange (APN 007-051-81) from W. Michael Fagen for open space and passive recreation purposes.

March 2, 2017: The Board of Supervisors moved 5-0 to authorize the Parks, Recreation, and Open Space Department to submit a grant application to the Community Forest and Open Space Program, administered through the Nevada Division of Forestry for a fee-title acquisition 20 acres along U.S. Highway 50 near the Clear Creek Interchange (APN 007-051-81) from W. Michael Fagen for open space and passive recreation purposes.

### **Background/Issues & Analysis**

The subject property lies along the north side of U.S. Highway 50 West, just east of the Clear Creek Interchange. It is adjacent to another property managed by the Open Space Division. The property meets priority criteria for Open Space protection in Carson City, and its location in the Carson Range makes it a priority landscape in the State's Natural Resource Strategy (2010). In addition to its natural assets, the recreation potential as a link between Carson City and Douglas County is critical.

Since 2014, staff has engaged in conversations with Mr. Fagen and has explored various options for land acquisition (land exchange and two grant submittals). Unfortunately, the land exchange options and grant submittals were unsuccessful. Mr. Fagen has been extremely patient during this process, and he has offered purchase terms in order to complete the transaction.

At this time, staff wishes to proceed with an appraisal. An appraisal, as required by law, will provide an opinion of property value so the Open Space Advisory Committee and Board of Supervisors can make an informed decision regarding land acquisition.

### **Applicable Statute, Code, Policy, Rule or Regulation**

Nevada Revised Statute 244.275

Carson City Municipal Code, Chapter 13.06 Open Space

### **Financial Information**

Is there a fiscal impact? ☒ Yes ☐ No

If yes, account name/number: Quality of Life - Open Space; Land Acquisition 254-5047-452-7401

Is it currently budgeted? ☒ Yes ☐ No

Explanation of Fiscal Impact: \$1,500. The procedure to appoint an appraiser for land acquisitions is required by law.

### **Alternatives**

Suggest an alternative appraiser and not to designate an appraiser.

### **Board Action Taken:**

Motion: \_\_\_\_\_

1) \_\_\_\_\_  
2) \_\_\_\_\_

Aye/Nay

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

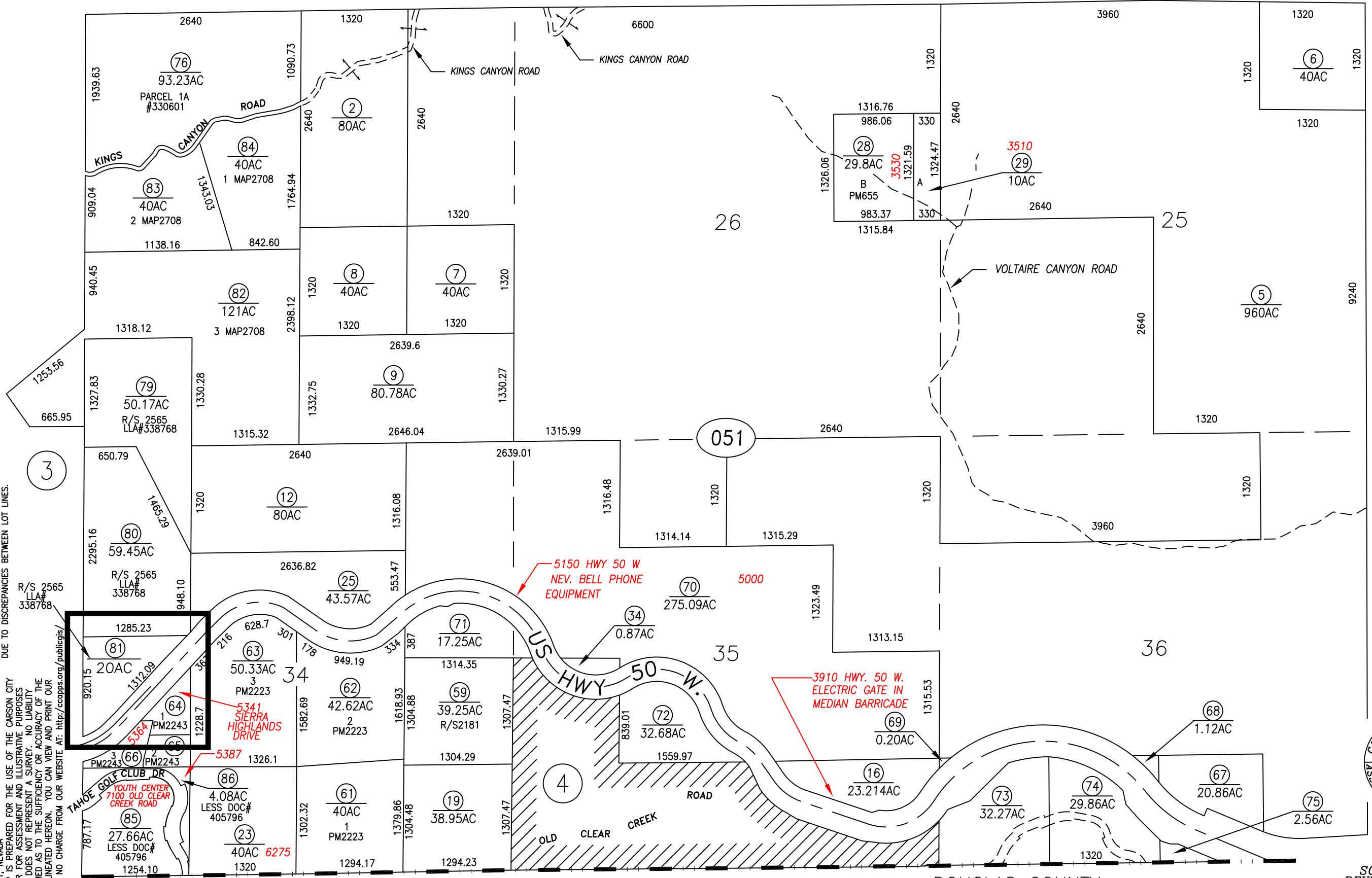
\_\_\_\_\_  
(Vote Recorded By)



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

CORRECTED ACREAGE ON PARCEL 007-051-72

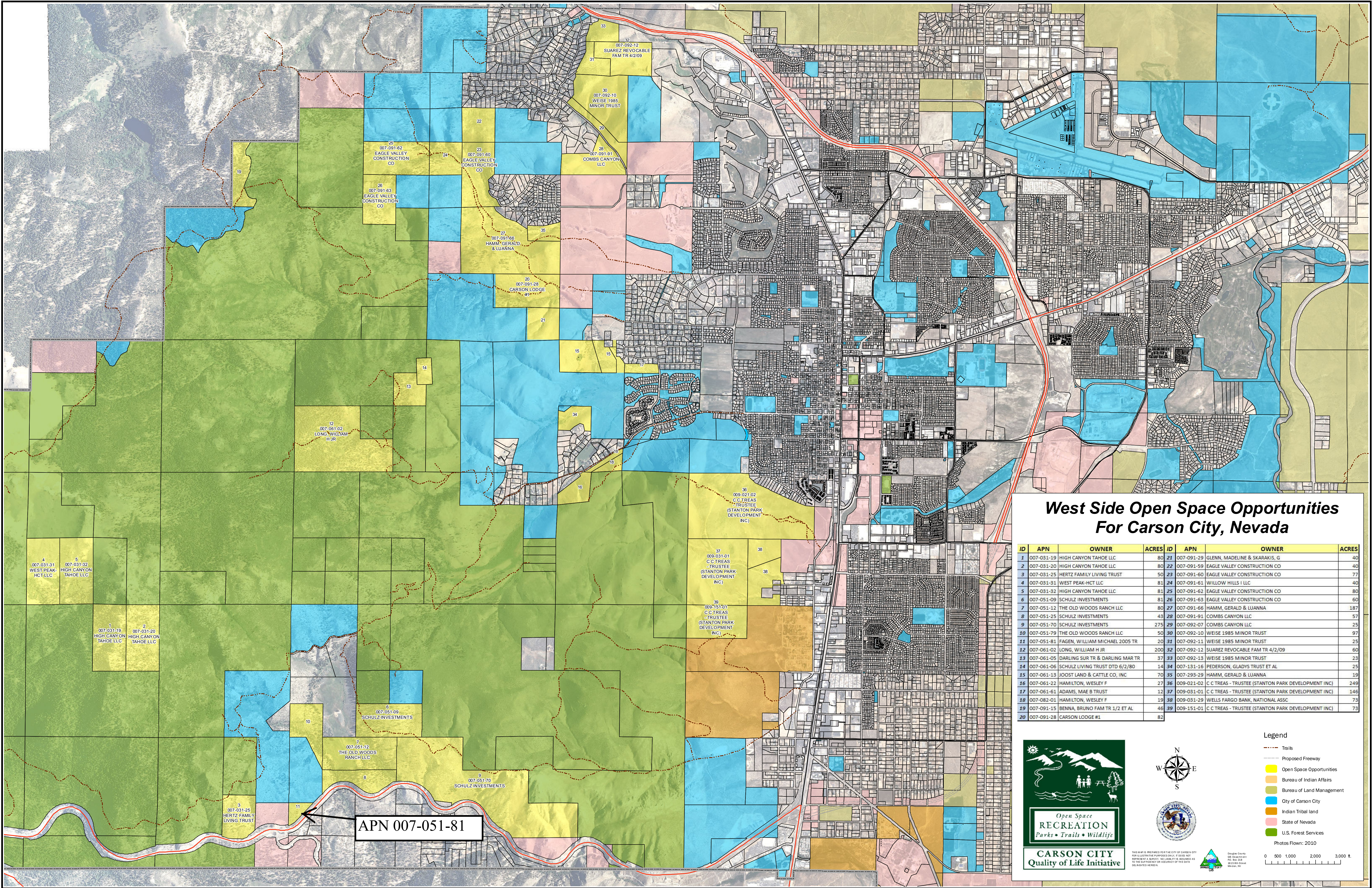
CARSON CITY, NEVADA  
THIS MAP IS PREPARED FOR THE USE OF THE CARSON CITY  
ASSESSOR FOR ASSESSMENT AND ILLUSTRATIVE PURPOSES  
ONLY. IT DOES NOT REPRESENT A SURVEY. NO LIABILITY  
IS ASSUMED AS TO THE SUFFICIENCY OR ACCURACY OF THE  
DATA DELINEATED HEREON. YOU CAN VIEW AND PRINT OUR  
MAPS AT NO CHARGE FROM OUR WEBSITE AT: <http://ccapps.org/publicgis/>



SCALE: 1" = 1200'  
REVISED: 08/12/2014

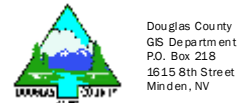
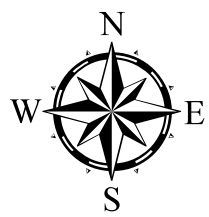
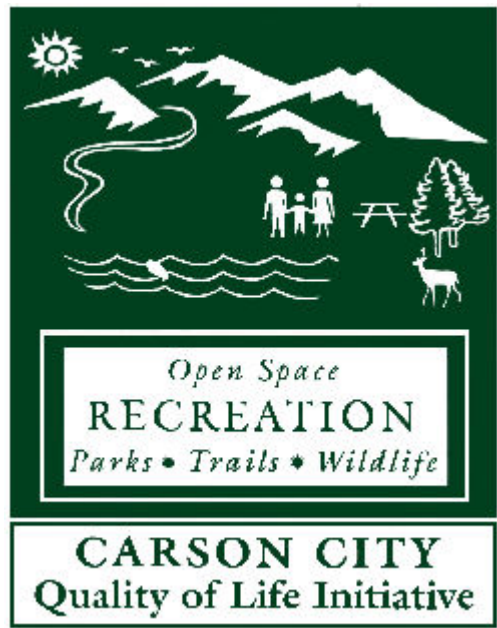
DOC #332328 KINGS CANYON ROAD





## West Side Open Space Opportunities For Carson City, Nevada

ID	APN	OWNER	ACRES	ID	APN	OWNER	ACRES
1	007-031-19	HIGH CANYON TAHOE LLC	80	21	007-091-29	GLENN, MADELINE & SKARAKIS, G	40
2	007-031-20	HIGH CANYON TAHOE LLC	80	22	007-091-59	EAGLE VALLEY CONSTRUCTION CO	40
3	007-031-25	HERTZ FAMILY LIVING TRUST	50	23	007-091-60	EAGLE VALLEY CONSTRUCTION CO	77
4	007-031-31	WEST PEAK-HCT LLC	81	24	007-091-61	WILLOW HILLS I LLC	40
5	007-031-32	HIGH CANYON TAHOE LLC	81	25	007-091-62	EAGLE VALLEY CONSTRUCTION CO	80
6	007-051-09	SCHULZ INVESTMENTS	81	26	007-091-63	EAGLE VALLEY CONSTRUCTION CO	60
7	007-051-12	THE OLD WOODS RANCH LLC	80	27	007-091-66	HAMM, GERALD & LUANNA	187
8	007-051-25	SCHULZ INVESTMENTS	43	28	007-091-91	COMBS CANYON LLC	57
9	007-051-70	SCHULZ INVESTMENTS	275	29	007-092-07	COMBS CANYON LLC	25
10	007-051-79	THE OLD WOODS RANCH LLC	50	30	007-092-10	WEISE 1985 MINOR TRUST	97
11	007-051-81	FAGEN, WILLIAM MICHAEL 2005 TR	20	31	007-092-11	WEISE 1985 MINOR TRUST	25
12	007-061-02	LONG, WILLIAM H JR	200	32	007-092-12	SUAREZ REVOCABLE FAM TR 4/2/09	60
13	007-061-05	DARLING SUR TR & DARLING MAR TR	37	33	007-092-13	WEISE 1985 MINOR TRUST	23
14	007-061-06	SCHULZ LIVING TRUST DTD 6/2/80	14	34	007-131-16	PEDERSON, GLADYS TRUST ET AL	25
15	007-061-13	JOOST LAND & CATTLE CO, INC	70	35	007-293-29	HAMM, GERALD & LUANNA	19
16	007-061-22	HAMILTON, WESLEY F	27	36	009-021-02	C C TREAS - TRUSTEE (STANTON PARK DEVELOPMENT INC)	249
17	007-061-61	ADAMS, MAE B TRUST	12	37	009-031-01	C C TREAS - TRUSTEE (STANTON PARK DEVELOPMENT INC)	146
18	007-082-01	HAMILTON, WESLEY F	19	38	009-031-29	WELLS FARGO BANK, NATIONAL ASSC	73
19	007-091-15	BENNA, BRUNO FAM TR 1/2 ET AL	46	39	009-151-01	C C TREAS - TRUSTEE (STANTON PARK DEVELOPMENT INC)	73
20	007-091-28	CARSON LODGE #1	82				



### 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
- U.S. Forest Services
- Photos Flown: 2010

0 500 1,000 2,000 3,000 ft.



## OPEN SPACE EVALUATION FORM

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<b>Landowner</b>	William Michael Fagen 2005 Trust
<b>Assessor's Parcel Number</b>	007-051-81
<b>Location</b>	U.S. Highway 50 west; Sec 34 15/19 NW4 SW4
<b>Access</b>	U.S. Highway 50 west
<b>Zoning</b>	Conservation Reserve
<b>Master Plan</b>	Single Family

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**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
<b>Wildlife Habitats / Corridors</b>	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.

<b>Natural Communities</b>	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
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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.

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<b>Landform / Scenic Quality</b>	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
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The property generally consists of steep topography. A lower bench provides long views to the Carson Valley.

<b>Visibility</b>	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
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The property is adjacent to U.S. Highway 50.

<b>Size</b>	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
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20 acres

<b>Accessibility</b>	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
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While significant portions can be open to the public, access would need to be developed.

<b>Historic / Cultural</b>	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
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At this time, the historic and cultural resources are unknown but they are also unlikely.

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

<b>Flood Hazard</b>	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
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None

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

<b>Ease of Acquisition</b>	<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.

<b>Potential To Share Cost</b>	<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.

<b>Urgency</b>	<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.

<b>Is a Significant Part of Open Space Plan</b>	<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

<b>Citizen Support</b>	<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: \_\_\_\_\_



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.





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

