



STAFF REPORT

Report To: Board of Supervisors **Meeting Date:** June 4, 2020

Staff Contact: Hope Sullivan, AICP, Planning Manager

Agenda Title: For Possible Action: Discussion and possible action to introduce, on first reading, an ordinance changing the zoning from Public Regional to Multi-Family Apartment on property located at 3410 Butti Way, APN 010-037-04. (Hope Sullivan, hsullivan@carson.org)

Staff Summary: The applicant is seeking to rezone 6.45 acres of the 7.81-acre subject property to Multi-Family Apartment. The eastern portion of the lot, with a width of approximately 427 feet, and a depth of 152 feet would remain zoned Public Regional. The subject property has a Master Plan designation of High Density Residential. The Board of Supervisors is authorized to amend the zoning map.

Agenda Action: Ordinance - First Reading **Time Requested:** 15 Minutes

Proposed Motion

I move to introduce, on first reading, Bill No. _____.

Board's Strategic Goal

Quality of Life

Previous Action

April 29, 2020: The Planning Commission recommended approval by a vote of 7 - 0.

Background/Issues & Analysis

Please see the attached April 29, 2020 staff report to the Planning Commission.

Attachments:

Draft Ordinance

April 29, 2020 staff report to the Planning Commission with attachments and late material.

Applicable Statute, Code, Policy, Rule or Regulation

CCMC 18.02.075 (Zoning Map Amendments and Zoning Code Amendments); NRS Chapter 244; Article 2 of the Carson City Charter.

Financial Information

Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted? No

Explanation of Fiscal Impact:

Alternatives

Do not introduce the Ordinance, and do not amend the zoning map.

Attachments:

[ZA-2020-0004 Butti Way.doc](#)

[April 29, 2020 staff report to the Planning Commission with attachments and late material.pdf](#)

Board Action Taken:

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

(Vote Recorded By)

SUMMARY – An ordinance amending the Carson City zoning map.

BILL NO. ____
ORDINANCE NO. 2020-__

AN ORDINANCE TO CHANGE THE ZONING FROM PUBLIC REGIONAL (PR) TO MULTIFAMILY APARTMENT (MFA) ON PROPERTY LOCATED AT 3410 BUTTI WAY, APN 010-037-04 EXCEPT FOR THE EASTERN MOST 1.5 ACRES OF THE PARCEL.

The Board of Supervisors of Carson City do ordain:

SECTION I:

An application for a Zoning Map Amendment on property located at 3410 Butti Way, and further identified as Assessor's Parcel Number 010-037-04, was duly submitted by the Carson City Engineer in accordance with Section 18.02.075, et seq. of the Carson City Municipal Code (CCMC). The request will result in the zoning designation of a portion of the subject parcel changing from Public Regional to Multifamily Apartment. The eastern most 1.5-acre portion of the property is not included in the request. After proper noticing pursuant to NRS 278 and CCMC Title 18, on April 29, 2020, the Planning Commission, during a public hearing, reviewed the Planning Division staff report, took public comment and voted 7 ayes, 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 substantial compliance with the goals, policies and action programs of the Master Plan, that the Amendment will provide for land uses compatible with existing adjacent land uses and will not have detrimental impacts to other properties in the vicinity; that the Amendment will not negatively impact existing or planned public services or facilities and will not adversely impact the public health, safety and welfare; 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 changing the zoning of APN 010-037-04 and further described as 3410 Butti Way excluding the easternmost 1.5 acres from Public Regional to Multifamily Apartment.

PROPOSED this ____ day of _____, 2020.

PROPOSED BY Supervisor _____

PASSED on the ____ day of _____, 2020.

VOTE:

AYES: _____

NAYS: _____

ABSENT: _____

ROBERT L. CROWELL, Mayor

ATTEST:

AUBREY ROWLATT, Clerk-Recorder

This ordinance shall be in force and effect from and after the ____ of _____, 2020.

STAFF REPORT FOR PLANNING COMMISSION MEETING OF APRIL 29, 2020

FILE: ZA-2020-0004

AGENDA ITEM: E.4

STAFF CONTACT: Hope Sullivan, Planning Manager

AGENDA TITLE: For Possible Action: Discussion and possible action regarding a zoning map amendment to change the zoning from Public Regional (PR) to Multi-Family Apartment (MFA), on property located at 3410 Butti Way, APN 010-037-04. (Hope Sullivan, hsullivan@carson.org)

STAFF SUMMARY: The applicant is seeking to rezone 6.45 acres of the 7.81 acre subject property to Multi-Family Apartment. The eastern portion of the lot, with a width of approximately 427 feet, and a depth of 152 feet would remain zoned Public Regional. The subject property has a Master Plan land use designation of High Density Residential. The Board of Supervisors is authorized to amend the zoning map. The Planning Commission makes a recommendation to the Board.

RECOMMENDED MOTION: "I move to recommend to the Board of Supervisors approve the zoning map amendment ZA-2020-0004 as presented."

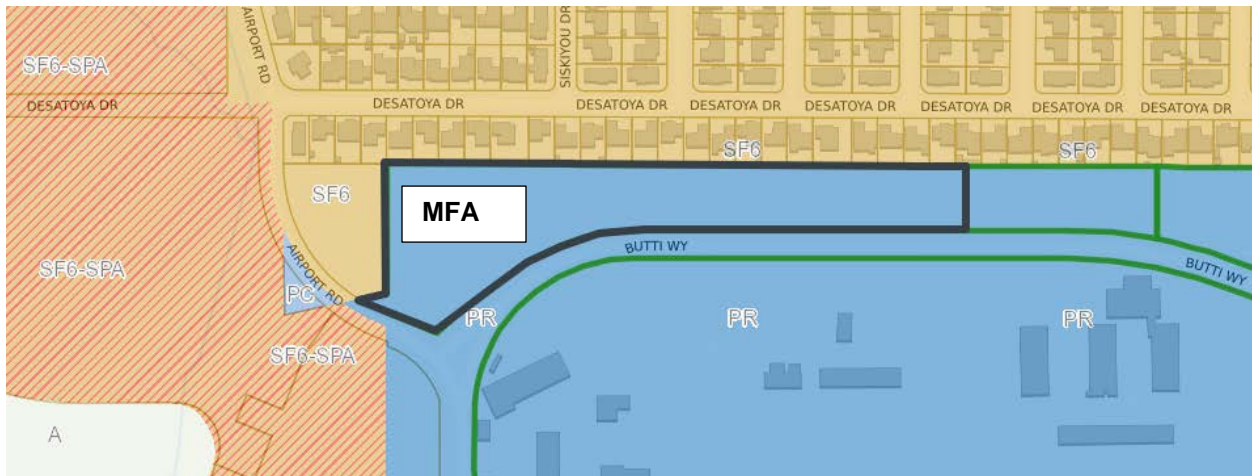
VICINITY MAP:



EXISTING ZONING



PROPOSED ZONING



Legend

PR: Public Regional Zoning

MFA: Multi-Family Apartment Zoning

LEGAL REQUIREMENTS: CCMC 18.02.050 (Review); 18.02.075 Zoning Map Amendments and Zoning Code Amendments

DISCUSSION:

The subject property is owned by Carson City. The Carson City Board of Supervisors issued a request for proposals for affordable housing on the property. In issuing the request for proposals, the City committed to rezoning the property to Multi-Family Apartment.

The subject property has a Master Plan designation of High Density Residential. Zoning to Multi-Family Apartment will allow for consistency with and implementation of the Master Plan.

The applicant is proposing to maintain the Public Regional zoning designation on the eastern 1.5 acre portion of the property.

PUBLIC COMMENTS: On April 17, 2020, public hearing notices were mailed to 194 property owners within 600 feet of the subject property in accordance with the provisions of NRS and CCMC 18.02.045. At the time of the writing of this report, no comments have been received in support or opposition to this request. 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.

FINDINGS: Staff recommends the following findings for approval of the Zoning Map Amendment pursuant to the Carson City Municipal Code Section and 18.02.075, Zoning Map Amendments and Zoning Code Amendments.

Zoning Map Amendment Findings

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

Chapter 3 of the Master Plan identifies the land use designations, and identifies what zoning district corresponds to the land use designation. A corresponding zoning district allows for implementation of the Master Plan. The subject area is designated for High Density Residential land uses. The Multi-Family Apartment zoning district corresponds to that land use designation, and allows for implementation of the Master Plan.

- 2. That 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.**

The subject property is in between single-194family homes to the north and City facilities to the south. The City facilities include office space and parking areas for the fleet. Multi-family development will create a transition between the two uses. The multi-family use will be compatible with the residential in that times of activity and times of quiet will be consistent with the single family residential.

- 3. That 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.**

The proposed amendment will allow for implementation of the Master Plan in an infill area. The zoning map amendment will not negatively impact existing or planned public services. Any new project that is proposed must complete project impact reports to show that existing facilities can meet demands within the standards set by municipal code. Any project approved in the new zoning area that would cause impacts beyond those allowed by municipal code, would be required by municipal code to mitigate those impacts as part of the design of the new development. These impact reports must include demand imposed by neighboring entitled projects in the existing demand on mains and streets.

Attachments:
Draft Zoning Map Amendment Ordinance
Application

SUMMARY – An ordinance amending the Carson City zoning map.

BILL NO. ____
ORDINANCE NO. 2020-__

AN ORDINANCE TO CHANGE THE ZONING FROM PUBLIC REGIONAL (PR) TO MULTIFAMILY APARTMENT (MFA) ON PROPERTY LOCATED AT 3410 BUTTI WAY, APN 010-037-04 EXCEPT FOR THE EASTERN MOST 1.5 ACRES OF THE PARCEL.

The Board of Supervisors of Carson City do ordain:

SECTION I:

An application for a Zoning Map Amendment on property located at 3410 Butti Way, and further identified as Assessor's Parcel Numbers 010-037-04, was duly submitted by the Carson City Engineer in accordance with Section 18.02.075, et seq. of the Carson City Municipal Code (CCMC). The request will result in the zoning designation of a portion of the subject parcel changing from Public Regional to Multifamily Apartment. The eastern most 1.5-acre portion of the property is not included in the request. After proper noticing pursuant to NRS 278 and CCMC Title 18, on April 29, 2020, the Planning Commission, during a public hearing, reviewed the Planning Division staff report, took public comment and voted ___ ayes, ___ 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 substantial compliance with the goals, policies and action programs of the Master Plan, that the Amendment will provide for land uses compatible with existing adjacent land uses and will not have detrimental impacts to other properties in the vicinity; that the Amendment will not negatively impact existing or planned public services or facilities and will not adversely impact the public health, safety and welfare; 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 changing the zoning of APNs 010-037-04 and further described as 3410 Butti Way excluding the easternmost 1.5 acres from Public Regional to Multifamily Apartment.

PROPOSED this ____ day of _____, 2020.

PROPOSED BY Supervisor _____

PASSED on the ____ day of _____, 2020.

VOTE:

AYES: _____

NAYS: _____

ABSENT: _____

ROBERT L. CROWELL, Mayor

ATTEST:

AUBREY ROWLATT, Clerk-Recorder

This ordinance shall be in force and effect from and after the ____ of _____, 2020.

Carson City Planning Division
 108 E. Proctor Street· Carson City NV 89701
 Phone: (775) 887-2180 • E-mail: planning@carson.org

FILE # *ZA-2020-0004*

APPLICANT **PHONE #**
 Dan Stucky 775-283-7084

MAILING ADDRESS, CITY, STATE, ZIP
 3505 Butti Way, Carson City, Nevada 89701

EMAIL ADDRESS
 DStucky@Carson.org

PROPERTY OWNER **PHONE #**
 Carson City

MAILING ADDRESS, CITY, STATE, ZIP
 201 N. Carson St., Ste 2, Carson City, NV 89701

EMAIL ADDRESS
 DStucky@Carson.org

APPLICANT AGENT/REPRESENTATIVE **PHONE #**
 Dan Stucky 775-283-7084

MAILING ADDRESS, CITY, STATE, ZIP
 3505 Butti Way, Carson City, Nevada 89701

EMAIL ADDRESS
 Dan Stucky 775-283-7084

FOR OFFICE USE ONLY:

ZONING MAP AMENDMENT

FEE: \$2,450.00 + noticing fee

SUBMITTAL PACKET

- Application Form
- Written Project Description
- Site Plan
- Proposal Questionnaire With Both Questions and Answers Given, Supporting Documentation
- Applicant's Acknowledgment Statement
- 5 Completed Application Packets (1 Original + 4 Copies)
- Documentation of Taxes Paid-to-Date (1 copy)
- Project Impact Reports (Engineering-4 copies)
- CD containing application data (all to be submitted once application is deemed complete by staff)

Application Reviewed and Received By:

Submittal Deadline: Planning Commission 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.

<u>Project's Assessor Parcel Number(s)</u> 010-037-04	<u>Street Address</u> 3410 Butti Way, Carson City, Nevada 89701	<u>ZIP Code</u>
--	--	-----------------

<u>Project's Master Plan Designation</u> High Density Residential	<u>Project's Current Zoning</u> PR (Public Regional)	<u>Nearest Major Cross Street(s)</u> Fairview Drive & Airport Road
--	---	---

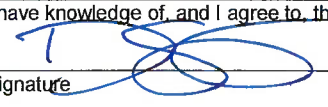
Briefly describe the components of the proposed project: in accordance with Carson City Municipal Code (CCMC), Section 18.02.075. In addition to the brief description of your project and proposed use, provide additional page(s) to show a more detailed summary of your project and proposal.

On December 5, 2019, the Carson City Board of Supervisors selected Pala Seek, LLC as the successful proposer for development of the subject property as affordable/workforce housing and directed staff to work with Pala Seek to work through the development process, including following through on the City's obligation to change the zoning of the property from PR to MFA.

PROPERTY OWNER'S AFFIDAVIT

Carson City is

I, Dan Stucky, 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.

 3505 Butti Way, Carson City, NV 89701 3/24/20
 Signature Address Date

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

On _____, 2_____, _____, 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.

 Notary Public

March 24, 2020

Hope Sullivan, AICP
 Planning Manager
City of Carson City
 108 E. Proctor Street
 Carson City, NV 89701

Zoning Map Amendment
3410 Butti Way – APN 010-037-04

The enclosed application is for a zoning map amendment to change the zoning of the subject property from Public Regional to Multi-Family Apartment. This requested change is to support the City's effort to develop affordable & workforce housing on the property.

On December 5, 2019, the Carson City Board of Supervisors selected Pala Seek, LLC as the successful proposer to develop the City's vision for a high quality, affordable, workforce housing project at this location. The City has committed to assisting in changing the zoning of the property to support the desired project. As noted in the application and exhibit, the City will be retaining the easterly 1.5 acres of the property and desires for that zoning to remain Public Regional. Further, a Lot Line Adjustment will be completed prior to the transfer of the property to add the 1.5 acres to the City's existing ownership to the east, also zoned Public Regional.

In support of this application, we address the following findings required per CCMC 18.02.075(5)(b):

1. That the proposed amendment is in substantial compliance with and supports the goals and policies of the master plan.

RESPONSE: The existing master plan for the subject property is High Density Residential. The proposed zone change to Multi-Family Apartment would be in substantial conformity with this existing master plan designation.

2. That 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.

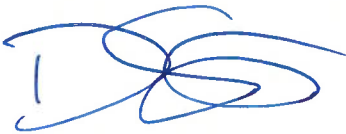
RESPONSE: The land use to the south is developed as the Carson City Public Works Corporate Yard, the Wastewater Reclamation and Treatment facility, and the Nevada Humane Society. The land use to the north is developed single family residences of approximately 6,000 SF lots. The proposed zone change to Multi-Family Apartment would provide an appropriate transition between these two uses. It is not anticipated that the proposed change will have any detrimental impacts on the adjacent properties.

3. That 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

RESPONSE: The project site is located adjacent to existing water and sewer utilities within Butti Way. While extension of these utilities within the project will be necessary, they are available and have the capacity to serve the development. It is not believed this amendment will overburden any necessary City facilities. Additionally, it is not anticipated that the proposed amendment will negatively impact the police and fire departments ability to serve the needs of the public.

Should you have any questions during your review of this application, please do not hesitate to contact me directly at 775-283-7084.

Sincerely,



Dan Stucky, P.E.

Carson City Engineer

ZONING MAP AMENDMENT



ZONING MAP AMENDMENT

APN: 010-037-04

ADDRESS: 3410 BUTTI WAY
CARSON CITY
NEVADA, 89701

OWNER: CITY OF CARSON CITY

REQUEST: TO CHANGE THE
ZONING ON THE WESTERLY 6.45
ACRES OF APN 010-037-04 FROM
PR TO MFA



**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

Carson City, NV makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 11/17/2018
Data updated 11/17/2018

LATE MATERIAL
4/28/20

From: LAURI BROWN <brownlk@sbcglobal.net>
Sent: Tuesday, April 28, 2020 1:58 AM
To: Planning Department <planning@carson.org>
Subject: File # ZA-2020-0004

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

To Whom it may concern;

I oppose the Zoning Map Amendment File # ZA-2020-0004 to change the zoning from Public Regional (PR) to Multi-Family Apartment (MFA).

I have been a long standing resident/home owner of the community for over 30 years and do not wish to see this change.

Respectfully,

Lauri Kathleen (Neville) Brown
3241 Desatoya Drive
Carson City NV 89701

LATE MATERIAL
4/28/20

From: Jasmine Paluch <jasminea.paluch@gmail.com>
Sent: Tuesday, April 28, 2020 3:51 PM
To: Planning Department <planning@carson.org>
Subject: Zoning Map Amendment FILE NO. ZA-2020-0004

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

I have four questions that I would like to be discussed during the meeting that occurs on April 29, 2020.

- 1) Who is requesting the change and why? What are their plans?
- 2) If the property is to be sold will there be a deed restriction noting that the property is next to a sewer plant?
- 3) The wall between the houses on Desatoya St. and the property is falling down. This is because the property was improperly graded during construction four decades ago. Erosion has since cut the dirt around the wall. Who would be responsible for repairs if the developer wants a wall?
- 4) Airport Rd and Butti Way are used as a shortcut between the middle school and the entrance to Highway 50. Would the county/city be willing to have a traffic circle there in order to calm traffic? Would the county/city cede the land for the circle? Could the developer pay for the circle itself as a condition of getting a permit?

Respectably from,

Frank Z Paluch

LATE MATERIAL
4/28/20

From: Andrew Marcin <aandmmarcin@yahoo.com>
Sent: Tuesday, April 28, 2020 4:35 PM
To: Planning Department <planning@carson.org>
Subject: Zoning Map Amendment File # ZA-2020-0004

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

Hi, my name is Andrew Marcin and I am a new resident and home owner on Desatoya Drive. This email is in regards for zoning the property on 3410 Butti Way to Multi-Family Apartments.

My concerns for this type of zoning is traffic, the extra load on neighboring schools and overall aesthetics to the existing neighborhood.

Our neighborhood is already almost bordered by apartment complexes as is. I'm all for the development of this property, but for single family houses or even single story duplexes as this would be better suited in the overall continuation of the the flow of the development and traffic.

The traffic situation is already a concern to me as well as other families, as we have children who frequent the streets and most of the public who live nearby, use this as a main thoroughway creating a dangerous situation that we constantly deal with. Dealing with the heavy traffic on our streets is also putting a huge damper on the condition of our road, which is in dire need of repair.

The school situation which I am well aware of, being a school district employee myself is going to be a struggle with the addition of all the kids coming from a big apartment complex. The schools are already over crowded as there is a continuing demand for either new addition to existing structures or the new development of a new school building overall.

I feel the use of either single family homes, or single story duplexes would alleviate a lot of these concerns to the neighborhood.

On another note, being a new home owner to this area, I was already pleased on how this development was planned. If I knew the future use of the property on Butti Way which my house backs up to this property, I would of looked elsewhere for being a new home owner.

I would like to thank you for spending time reviewing my email and my concerns along with my fellow neighbors. I really hope you consider zoning this property for single family homes or single story duplexes instead of single family apartments.

If you like to further discuss the issues on this, I am more than pleased to speak openly about it.

Thanks Again,

Andrew Marcin
(775)720-7224

LATE MATERIAL

RECEIVED
 APR 29 2020
 CARSON CITY
 PLANNING DIVISION

24 APR 2020

ZONING MAP AMENDMET
 FILE NO. ZA-2020-0004

HELLO,
 I LIVE AT 3185 DESATOYA DR.
 & I AM VEHEMENTLY OPPOSED
 TO REZONING THE PARCEL OF LAND
 LOCATED AT 3410 BUTTI WAY
 TO MULTI FAMILY APARTMENT
 (MFA).

I HAD MY HOME BUILT IN 1991
 & HAVE LIVED HERE EVER SINCE.
 I AM A SENIOR DISABLED VETERAN
 & THIS MY FOREVER HOME.

LAST NIGHT AS I LIE IN BED,
 I LISTENED TO THE COYOTES
 SING, WHICH IS A USUAL OCCURANCE.
 IT SADDENS ME TO THINK THIS
 SHALL BE NO MORE. SAID PRO-
 PERTY IS ON THE OTHER SIDE
 OF MY BACK FENCE.

①

AT NIGHT IT IS SILENT. THIS
TOO, SHALL BE NO MORE.

MY POINTS ARE:

- NOISE
- CRIME
- LIGHT POLLUTION
- LOSS OF MOUNTAIN VIEWS
- LOSS OF PRIVACY
- INCREASED TRAFFIC
- SECOND & THIRD STORIES WILL
BE ABLE TO LOOK INTO MY YARD
& HOME
- ANXIETY & FEAR
- EXTREME SENSE OF LOSS
- PROPERTY DEVALUATION

THIS PROPOSAL IS A POOR IDEA
AT BEST & SHOWS A TOTAL LACK OF
REGARD FOR ^{MY} NEIGHBORS & MY-
SELF.

PLEASE DO NOT APPROVE THIS
AMENDMENT. I BEG YOU!!!

②

THE REASON I HAD MY HOME
BUILT ON MY PARCEL IN THE
FIRST PLACE WAS FOR THE
PRIVACY, MOUNTAIN VIEWS
& TO BE CLOSE TO NATURE.
PLEASE DON'T TAKE THIS AWAY
FROM ME!

I WILL CONTINUE TO FIGHT
THIS FOR AS LONG AS IT MAY
TAKE.

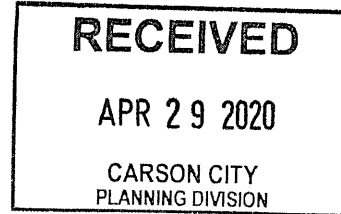
THANK YOU.

RESPECTFULLY,

Kerry James Drake

KERRY JAMES DRAKE
3185 DESATOYA DR.
CARSON CITY, NV 89701
775-885-6851

LATE MATERIAL



-----Original Message-----

From: Lorann Service <randlservice@att.net>
Sent: Wednesday, April 29, 2020 1:22 PM
To: Planning Department <planning@carson.org>
Subject: Rezoning of Butti Way

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

To whom it may concern,

Hello, My name is Lorann Service and I am a home owner on Desatoya Drive. This email is in regards for zoning the property on 3410 Butti Way to a Multi-Family Apartments.

My concerns for this zoning are numerous. One is traffic. Traffic is already heavy on all neighboring streets. Kids have to walk to Eagle Valley Middle School, Empire Elementary, and Carson High School, increasing traffic on all these streets are concerns for buses, children walking, and or riding bikes, and parents trying to get kids to school in the morning and after school. These commutes at both these times are horrific as it is, adding more would just cause more backup. Two, is crowding at surrounding schools. They have already just rezoned schools due to overcrowding, changing this again, is just disruptive to children and parents. Three, would be the increase of water and sewer yet again. Adding more is another concern. Four, the blind spot on Airport Rd and Desatoya would increase the traffic flow, as it is already a dangerous spot to turn in and out of.

I feel the use of possibly duplexes and or single family homes would be more accommodating to this area. More stability of people buying homes and or duplexes instead of transit people moving in and out of apartments, not including eyesores that some apartment complexes cause, including garbage run down buildings, graffiti and parking issues.

I would hope you would take my concerns as a home owner with children and the concerns of other neighbors in this area when planning out this zoning. I appreciate your time and reviewing my thoughts and concerns in this matter. If you have any questions I am happy to discuss this with whomever is willing to get in touch with me.

Thank You,
Lorann Service
775-527-9870