

City of Carson City
Agenda Report

Item # 6B

Date Submitted: February 12, 2008

Agenda Date Requested: February 21, 2008
Time Requested: 10 minutes

To: Mayor and Board of Supervisors

From: Development Services - Planning Division

Subject Title: Action to introduce, on first reading, Bill No. _____, an ordinance to change the zoning from Single Family One Acre (SF1A) to Single Family 21,000 (SF21) on four parcels located at 3820-4094 Center Drive, APN's 009-775-24, -25, -26 and -27. (File No. ZMA-07-175)

Staff Summary: The Zoning Map Amendment would allow the properties to be subdivided into a minimum lot size of 21,000 square feet (approximately one-half acre). Three of the parcels are currently one acre in size and one is already one-half acre in size.

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 January 30, 2008 by a vote of 7:0.

Recommended Board Action: I move to introduce, on First Reading, Bill No. _____, an ordinance to change the zoning from Single Family One Acre to Single Family 21,000 on four parcels located at 3820 through 4094 Center Drive, APN's 009-775-24, -25, -26 and -27, based on the findings contained in the staff report.

Explanation for Recommended Board Action: The Board of Supervisors, pursuant to the Carson City Municipal Code, is required to take final action on all zoning map amendments. This is the first of two readings to amend the Title 18 City Zoning Map by ordinance. See the attached staff report to the Planning Commission for more information.

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 the matter back to Planning Commission for further review.
2) Deny

Supporting Material: 1) Ordinance

- 2) Planning Commission Case Record
- 3) Staff Report to Planning Commission

Prepared By: Rose Mary Johnson, Management Assistant III

Reviewed By:

Walter Sullivan Date: 2/10/08
(Planning Director)

Walter Sullivan Date: 2/10/08
(Development Services Director/City Engineer)

Walter Sullivan Date: 2/12/08
(City Manager)

Melanie Ruketta Date: 2-12-08
(District Attorney's Office)

Board Action Taken:

Motion: _____

1) _____
2) _____

Aye/Nay

(Vote Recorded By)

ORDINANCE NO. 2008-__

BILL NO. __

AN ORDINANCE TO CHANGE THE ZONING FROM SINGLE FAMILY ONE ACRE (SF1A) TO SINGLE FAMILY 21,000 (SF21) ON FOUR PARCELS LOCATED AT 3820-4094 CENTER DRIVE, APN'S 009-775-24, -25, -26 AND -27.

Fiscal Effect: None

THE CARSON CITY BOARD OF SUPERVISORS HEREBY ORDAINS:

SECTION I:

An application for a Zoning Map Amendment on Assessor's Parcel Number 009-775-27, property located at 4094 Center Drive, Carson City, Nevada, 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). On December 19, 2007, the Planning Commission directed staff to include three properties located at 3820-4040 Center Drive in the proposed zone change, APN's 009-775-24, -25 and -26, and these property owners were duly noticed of the proposed amendment. The request will result in the zoning designation of the subject properties changing from Single Family One Acre (SF1A) to Single Family 21,000 (SF21). After proper noticing pursuant to NRS 278 and CCMC Title 18, on January 30, 2008, 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 would 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 designation of 3820-4094 Center Drive, APN's 009-775-24, -25, -26 and -27 from Single Family One Acre (SF1A) to Single Family 21,000 (SF21), as shown on "Exhibit A," attached.

PROPOSED this _____ day of _____, 2008.

PROPOSED BY Supervisor _____

PASSED on the _____ day of _____, 2008.

VOTE: AYES: _____

NAYS: _____

ABSENT: _____

MARV TEIXEIRA, Mayor

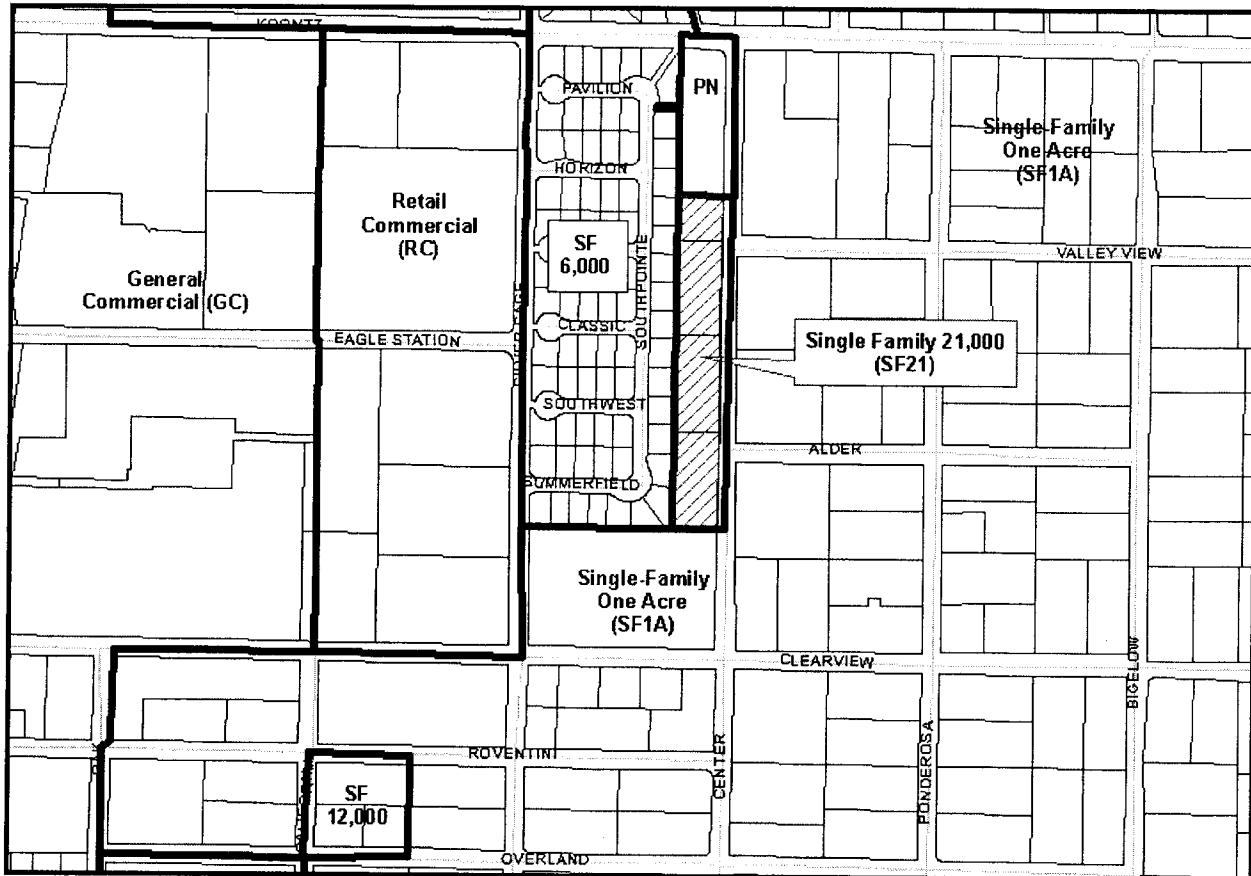
ATTEST:

ALAN GLOVER, Clerk-Recorder

This ordinance shall be in force and effect from and after the _____ of
_____, 2008.

EXHIBIT A

Proposed Zoning Map



CARSON CITY PLANNING COMMISSION

CASE RECORD

MEETING DATE: January 30, 2008

AGENDA ITEM NO.: H-4

APPLICANT(s) NAME: Western Engineering
PROPERTY OWNER(s):

FILE NO. ZMA-07-175

ASSESSOR PARCEL NO(s): 009-775-27
ADDRESS: 4094 Center Drive
ASSESSOR PARCEL NO(s): 009-775-24, -25, -26
ADDRESS: 3820-4040 Center Drive

APPLICANT'S REQUEST: To change the zoning from Single Family One Acre (SF1A) to Single Family 21,000 (SF21) on properties located above.

COMMISSIONERS PRESENT: REYNOLDS VANCE BISBEE
 MULLET PEERY KIMBROUGH WENDELL
STAFF REPORT PRESENTED BY: Lee Plemel REPORT ATTACHED
STAFF RECOMMENDATION: APPROVAL DENIAL
APPLICANT REPRESENTED BY: Dennis Smith, Western Engineering

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:

APPEAL PROCESS MENTIONED AS PART OF THE RECORD:

MOTION WAS MADE TO RECOMMEND APPROVAL.

MOVED: Wendell SECOND: Vance PASSED: 7/AYE 0/NO 0/DQ 0/AB

SCHEDULED FOR THE BOARD OF SUPERVISORS

DATE: February 21, 2008

STAFF REPORT FOR PLANNING COMMISSION MEETING OF JANUARY 30, 2008

FILE NO: ZMA-07-175

AGENDA ITEM: H-4

STAFF AUTHOR: Lee Plemel, AICP, Principal Planner

REQUEST: A Zoning Map Amendment to change the zoning of four parcels from Single Family One Acre (SF1A) to Single Family 21,000 (SF21, 21,000 square foot minimum parcel size).

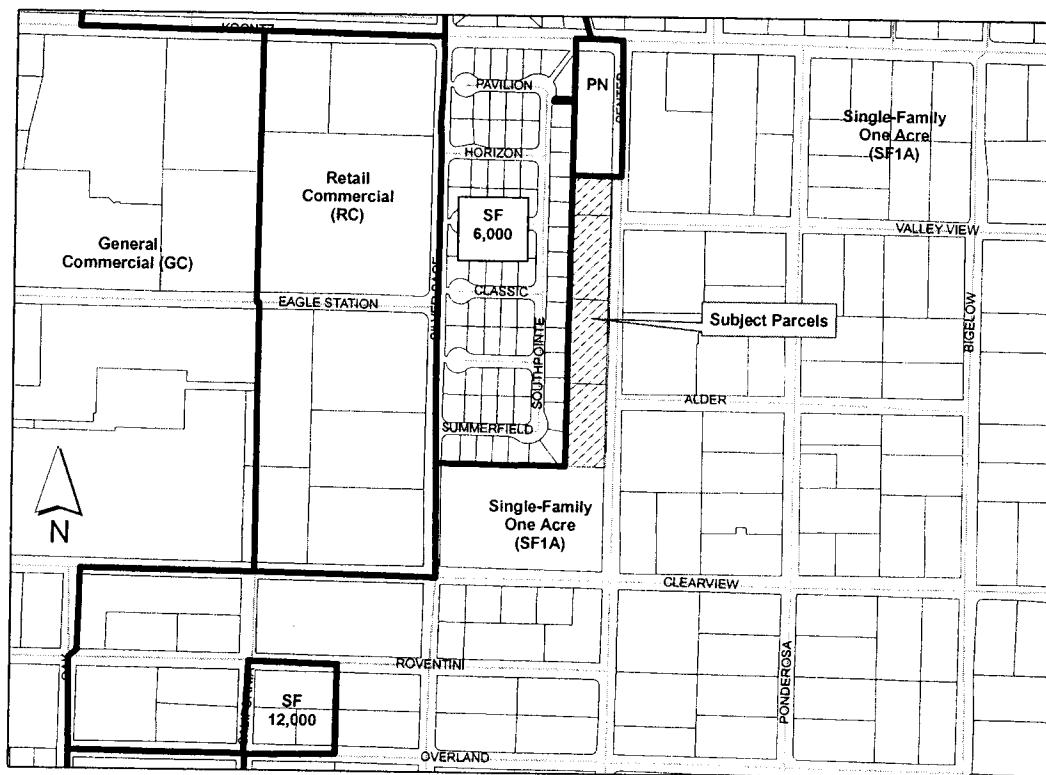
APPLICANT: Western Engineering

OWNER: James Schneider (APN 009-775-27) and various others

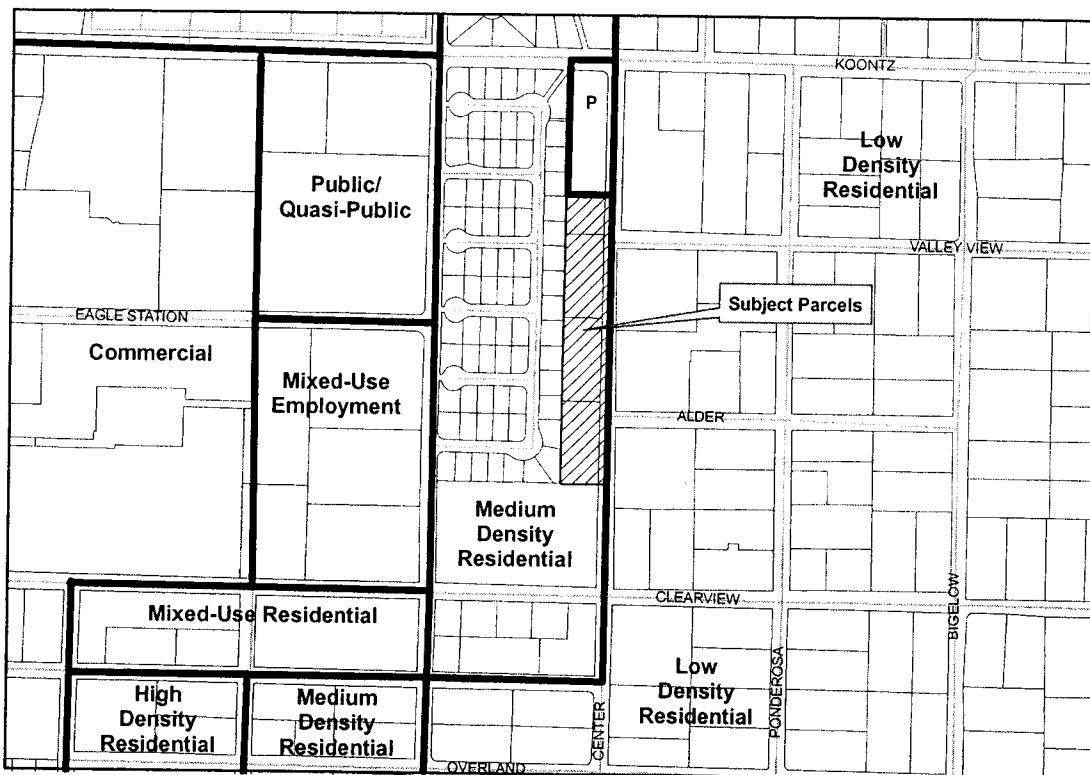
LOCATION: 3820-4094 Center Drive; APNs 009-775-24, -25, -26 & -27

RECOMMENDED MOTION: "I move to approve ZMA-07-175, a Zoning Map Amendment to change the zoning from Single Family One Acre to Single Family 21,000 on property located at 4094 Center Drive, and including three parcels located at 3820 through 4040 Center Drive, APNs 009-775-24, -25, -26 and -27, based on the findings contained in the staff report."

Current Zoning and Vicinity Map



MASTER PLAN LAND USE MAP



SURROUNDING LAND USE AND ZONING:

Master Plan / Zoning – Uses (refer to maps above)

North: Public / Public Neighborhood (PN) – Park
West: Medium Density Residential / Single Family 6,000 (SF6) – Residential
South: Medium Density Residential / SF1A – Vacant
East: Low Density Residential / SF1A – Residential

KEY ISSUES:

- Would the rezoning of the subject parcels provide for zoning and development consistent with surrounding parcels?"

BACKGROUND:

In November 2007, a Zoning Map Amendment application was submitted to the Planning Division to change the zoning of southerly-most of the subject parcels from Single Family One Acre (SF1A) to Single Family 21,000 (SF21). At its meeting on December 19, 2007, the Planning Commission, with the applicant's concurrence, continued the matter and directed staff to include the three parcels to the north of this parcel in proposed zone change. This action was recommended by staff in order to provide a more comprehensive zoning transition between the neighborhoods to the west and east of the subject parcels and to minimize the potential or appearance of "spot zoning" for the single parcel.

Planning staff subsequently sent to notice to the affected property owners to inform them of the proposed action and solicit their feedback. As of January 22, 2007, staff has received no comments from the additional property owners proposed to be included in the rezoning.

DISCUSSION:

The subject parcels are located on the west side of Center Drive between Koontz Lane and Clearview Drive. The parcels are part of the South Pointe subdivision, which also includes the residential neighborhood zoned Single Family 6,000 (SF6) to the west of the parcels. Three of the subject parcels are one acre and one is one-half acre in size.

The initial Zoning Map Amendment application included only the southerly-most one acre parcel within the identified subject area. Approval of the requested Zoning Map Amendment to rezone the property to Single Family 21,000 (SF21) would allow this one acre lot to be subdivided into two half-acre lots. The existing house occupies the northern half of this parcel, and the southern half has been left vacant and unused by the property owner.

The properties abutting the subject parcels to the west are approximately 6,100 to 8,700 square foot subdivision lots zoned Single-Family 6,000 (SF6). The properties to the east and south of the subject parcels are zoned Single Family One Acre (SF1A). However, the abutting property to the south is designated Medium Density Residential on the adopted Master Plan Land Use Map and it is therefore anticipated that future development would occur on this vacant parcel at a density more consistent with the South Pointe neighborhood to the north of it. The properties to the east of the subject parcels, on the east side of Center Drive, are all designated Low Density Residential on the Master Plan Land Use Map.

The proposed change of zoning from SF1A to SF21 should have little or no impacts on the existing property owners' ability to continue to use their property as they currently do. The most significant difference in permitted uses is that the SF1A zoning district allows livestock (e.g. horses) while the SF21 zoning district does not. However, the applicant provided staff with the CC&R's for the subject properties (South Pointe Phase 4) and noted that the properties are already prohibited from keeping "horses, cattle, sheep, pigs or other non-household animals" on the lots. With the proposed zone change, the property owners will also have the benefit of reduced building setback requirements with the SF21 zoning, allowing more utilization of the properties for accessory structures or main residence additions.

Master Plan-Zoning Consistency

The Master Plan Land Use Map shows the future anticipated or desired land use condition. The zoning of a parcel, which may presently be different than or inconsistent with the present Master Plan designation for a parcel, provides the specific property development entitlements—i.e. what types of uses are permitted and at what densities. The following is a summary of the zoning districts that are consistent with the applicable Master Plan Land Use designations in the vicinity.

Master Plan Designation	Consistency Zoning Designations
Low Density Residential (0.33-5 ac/du)	Single Family Two Acre (SF2A) Single Family One Acre (SF1A) Single Family 21,000 (SF21) (subject parcel)
Medium Density Residential (3-8 du/ac) (subject parcel)	Single Family 12,000 (SF12) Single Family 6,000 (SF6)
High Density Residential (8-36 du/ac)	Multi-Family Duplex (up to 14.5 du/ac) Multi-Family Apartment (MFA, up to 36 du/ac)
Mixed-Use Residential	MFA or commercial zoning (per adopted Mixed-Use Evaluation Criteria in Master Plan. Future mixed-use zoning to be established.)

It should be noted that the applicant is requesting a zoning designation that is less intense in density than would be permitted within the Medium Density Residential category, and it would be consistent with the Low Density Residential designation.

In discussing and rendering a decision on this Zoning Map Amendment application, the Planning Commission must consider how the application relates to the required findings for approval of such amendments. The complete findings are referenced at the end of this staff report. A summary of the key findings for this discussion are noted below:

- Is the proposed amendment consistent with the Master Plan Land Use Map?
- Is the proposed amendment consistent with the policies of the Master Plan?
- Would the proposed amendment provide for land uses compatible with existing adjacent land uses?

Master Plan Land Use Map Consistency

As noted in the above table, the requested SF21 zoning is within the density range of the Low Density Residential Master Plan designation and is less intense in density than the Medium Density Residential (MDR) designation of the subject parcel would allow. Although the proposed zoning district is not precisely within the MDR density range, zoning is typically considered consistent with the land use designation where it is less intense—versus more intense in density or use—than would otherwise be permitted. Therefore, staff believes the proposed zoning is consistent with the Master Plan Land Use Map.

Master Plan Policy Consistency

As detailed below in the Findings section of this staff report, the proposed amendment is consistent with the policies of Master Plan in that it provides for growth in accordance with the Land Use Map in an area served or planned to be served by community water and wastewater facilities and easily served by other city services. The proposed amendment would also promote an appropriate mix of housing types at various densities as other surrounding properties develop in the future at higher densities, with the subject parcel in close proximity to commercial and transportation corridors and services.

However, if only the single initial parcel is considered for rezoning, the proposed amendment may be considered inconsistent with certain policies related to neighborhood compatibility. Specifically, the Master Plan (Policy 9.4b) discourages “spot zoning” of

parcels in established “rural” neighborhoods that are not contiguous with lots zoned for a comparable density. It is also questionable with regards to promoting compatibility with surrounding development for infill projects in adjacent neighborhoods. This was the purpose of including the addition parcels in the request.

Compatibility with Existing Land Uses

Staff believes that the compatibility of the proposed amendment with surrounding land uses is the primary issue with this application. The residential neighborhood to the west is established at a higher density (SF6) than the proposed zoning (SF21) of the subject parcel. Generally, the proposed half-acre lot size would provide a logical “transition” in density between the SF6 neighborhood to the west and the one-acre neighborhood to the east, across Center Drive. Furthermore, the half-acre zoning of the property is consistent with the rural street improvement standards for the one-acre neighborhood, so it would not change the character of the street frontage improvements on Center Drive.

The vacant property to the south of the subject parcels will also play a significant role in the future neighborhood character and compatibility with the surrounding neighborhood. This vacant property abuts Silver Sage Drive, Clearview Drive and Center Drive and is designated Medium Density Residential on the Master Plan Land Use Map. While the zoning of the property is currently SF1A, it is anticipated that a rezoning of the property would occur for development at a higher density consistent with the MDR designation and other surrounding uses. If and when this occurs, the southerly-most parcel within the subject area would border on higher densities along two parcel boundaries.

Additionally, with the existing house on the southern-most parcel located on the north side of the parcel, any future subdivision of this parcel would result in a new house being constructed to the south of the existing house, away from the adjacent neighbor to the north. Therefore, the neighbor to the north would not be impacted to any significant degree by any future development on the lot.

More Discussion on “Spot Zoning”

While the inclusion of the additional parcels in the zone change application virtually eliminates the appearance of “spot zoning,” staff includes the following discussion in the event that the Planning Commission wishes to consider rezoning only the original parcel considered under the initial application request.

Spot zoning is a term used to describe a situation generally where zoning of a parcel or a relatively small area is inconsistent with surrounding zoning. The term has been used in legal cases related to zoning, and past court decisions may provide some clarification as to the legal standards that may constitute spot zoning.

In a report in the *Building and Planning Legal Bulletin* in April 2003 regarding a case in which a rezoning was determined not to be spot zoning, the publication noted this definition of spot zoning:

Spot zoning is zoning action by which a smaller area is singled out of a larger area and specifically zoned for a use classification totally different from and

inconsistent with the classification of surrounding land and is not in accordance with the comprehensive [master] plan. (Underlines added for emphasis.)

In a *Zoning Bulletin* report in April 2003 regarding a rezoning case, the publication noted that it was not spot zoning because the zone change “arguably bore a reasonable relation to the general welfare and to an orderly plan of zoning development.”

Staff believes that these examples show the relatively broad latitude given to local governments on zoning matters. In the first definition above, it cannot be argued that the proposed zoning is not singling out a parcel for a zoning classification totally from surrounding parcels. However, the rezoning would arguably be consistent and compatible with the surrounding zoning, and it would certainly be in accordance with the Master Plan Land Use designation.

PUBLIC COMMENTS: Public notices were mailed to 60 adjacent property owners within 300 feet of the subject parcel in accordance with the provisions of NRS and CCMC 18.02.045. As of January 22, 2008, one written comment was received in opposition of this application from a property owner to the southeast of the subject parcels (see letter included with this staff report). Staff received an additional email inquiry from a South Pointe subdivision resident regarding any future development plans for the subject parcels, but no specific comments in support or opposition. 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 Building Division, Parks and Recreation Department and Fire Department submitted written comments with no specific concerns regarding the proposed amendment. The Engineering Division noted that sewer lines would have to be extended along the remainder parcel frontage if the parcel is subdivided. No other city department comments were received.

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

FINDINGS: The following findings for approval are recommended to the Planning Commission in rendering a decision on this application pursuant to the Carson City Municipal Code Section 18.02.075(5), Zoning Map Amendments, and as further substantiated in the applicant's written justification.

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

Rationale: (Applicable goals and policies noted.)

Policy 1.1b: Discourage growth outside areas planned to be served by community water and wastewater facilities.

Rationale: The proposed amendment would encourage growth and infill development in an area identified for and easily served by water and sewer services.

Policy 1.5d: Locate growth areas to be adequately served by city services including fire and sheriff, and coordinated with the School District to ensure adequate provision of schools.

Rationale: The proposed amendment is in an area adequately served by fire and sheriff services with anticipated quick response times, and the proposed amendment would have insignificant impacts on the school district due to the small size of the area.

Policy 9.1a: Encourage an appropriate mix of housing models and intensities based upon the location, size and surrounding neighborhood context.

Rationale: The infill development of the subject parcels would provide for a compatible mix of housing intensities.

Land Use Consistency: Provide for zoning consistent with the Land Use designation.

Rationale: The proposed SF21 zoning is consistent with and less intense in density than the existing Medium Density Residential Master Plan designation for the subject property.

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 proposed amendment will not result in a significant change to the residential character of the existing parcels and will have minimal impact on surrounding parcels. The abutting parcel to the south of the subject parcels is vacant and will likely develop at higher densities. The creation of one additional parcel on the southerly-most parcel will not have detrimental impacts on adjacent properties. The proposed amendment would result in parcel sizes comparable to other residential properties in the vicinity that are approximately one-half acre or less.

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 amendment is within an urban service area with existing services or planned for services. Any applicable city services can be easily provided to the subject parcels, and the impacts of the proposed amendment are minimal in the creation of only one addition residential unit. Therefore, the proposed amendment would have no adverse impact on the public health, safety or welfare.

Respectfully submitted,
PLANNING DIVISION


Lee Plemel, AICP, Principal Planner



CARSON CITY, NEVADA

CONSOLIDATED MUNICIPALITY AND STATE CAPITAL
DEVELOPMENT SERVICES

Engineering Division
Planning Commission Report
File Number ZMA 07-175



TO: Planning Commission
FROM: *JS* Jeff Sharp, P.E., Deputy City Engineer
DATE: December 6, 2007 **MEETING DATE:** December 19, 2007

SUBJECT TITLE:

Action to consider a change in zoning map designation from SF1A to SF21. The address of the property is 4094 Center Drive, APN 09-775-27.

RECOMMENDATION:

The Engineering Division has no preference or objection to the zoning change requested. Information submitted with the application has demonstrated that infrastructure can support the request within standard development practices. Should the zoning change be approved, be advised of the following requirement that may be placed on development of the property:

1. Prior to subdividing the property, the sanitary sewer main located within Center Drive shall be extended approximately 275 feet to the south boundary of the parcel in accordance with Carson City Municipal Code (CCMC) 12.05.050.

DISCUSSION:

The Engineering Division has reviewed the request within our areas of purview relative to adopted standards and practices and to the provisions of CCMC 18.02.075, Change of Land Use District and Code Amendments. The following discussion is offered.

CCMC 18.02.080(2a) - Adequate Plans

The information submitted by the applicant is adequate for this analysis.

CCMC 18.02.080 (5c) - Traffic/Pedestrians

The adjacent streets are adequate to handle the increased traffic associated with the increased density.

CCMC 18.02.080 (5d) - Public Services

The zone change will only result in one additional single family residential unit versus the current zoning. This should have minimal impact on public services. There are adequate water facilities available adjacent to the site. The developer will need to extend the sewer main approximately 275 feet along Center Drive to the south boundary of the site prior to subdividing the lot.

H:\EngDept\P&ESHARE\Engineering\Planning Commission Reports\Zone Changes\ZMA 07-175, 4094 Center Drive, apn 9-775-27.doc

ENGINEERING DIVISION • 2621 Northgate Lane, Suite 54 • Carson City, Nevada 89706
Phone: (775) 887-2300 Fax: (775) 887-2283 E-mail: engdiv@ci.carson-city.nv.us

File # (Ex: MPR #07-111)	ZMA 07-175
Brief Description	<i>Change zoning from SF1A to SF21</i>
Project Address or APN	4094 Center Drive
Bldg Div Plans Examiner	<i>Don Wilkins</i>
Review Date	<i>December 6, 2007</i>
Total Spent on Review	<i>.75 hours</i>

BUILDING DIVISION COMMENTS:

NOTE: These comments do not constitute a complete plan review, but are merely observations based on the information provided.

1. The removal of the existing structures on the property will require a demolition permit issued through the Carson City Building Division.
2. When the property is to be developed, the placement of the structures on the property shall comply the prescriptive requirements of the adopted construction codes for separation distances between neighboring structures, and between structures and the property lines.
3. When designing the placement of the future structures, care shall be given to address the drainage on the property.



CARSON CITY, NEVADA

CONSOLIDATED MUNICIPALITY AND STATE CAPITAL

MEMORANDUM

TO: Walter Sullivan, Planning & Community Development Director
Lee Plemel, Principle Planner
Rose Mary Johnson, Management Assistant
Jennifer Pruitt (Hardcopy and Email)

FROM: Roger Moellendorf, Parks & Recreation Director
Daria Petrenko, Management Assistant

DATE: January 22, 2008

SUBJECT: Planning Commission Agenda Items for Wednesday, January 30, 2008



Listed below are agenda item comments from the Parks and Recreation Department:

VAR-07-121	No Comments
ZMA-07-175	The Carson City Unified Pathways Master Plan identifies Center Drive as a shared street bicycle facility.
SUP-07-189	No Comments
SUP-07-191 (Refer to Exhibits A & B)	Staff recommends the Planning Commission impose the following conditions: 1. Restore the Empire Ranch Trail to an equal or better condition (in consultation with Parks and Recreation Department staff) after construction of the well house project and as a part of final project acceptance by the Public Works Department 2. Native vegetation(trees and shrubs) will be planted of sufficient volume and size to visually screen the proposed well house from the Carson River Aquatic Trail, the Empire Ranch Trail, and the Empire Ranch Golf Course. A drip irrigation system will be installed in compliance with the Parks and Recreation Department construction standards. 3. The well house paint colors and roof colors will be earth tone colors, as approved by the Parks and Recreation Department. 4. Any water overflow or discharge channels to the Carson River will be designed to not cause river bank erosion or channelization.

RECEIVED

Carson City Planning Division
 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:

NOV 07 2007

CARSON CITY
PLANNING DIVISION**ZONING MAP AMENDMENT**

FILE # ZMA - 07 -

- ZMA - 07 - 175**PROPERTY OWNER****JAMES SCHNEIDER****MAILING ADDRESS, CITY, STATE, ZIP****4094 CENTER DRIVE CC, NV 89701****E-MAIL ADDRESS****PHONE #****841-8220 x 15 841-8217****FAX #****Name of Person to Whom All Correspondence Should Be Sent****APPLICANT/AGENT****WESTERN ENGINEERING****MAILING ADDRESS, CITY, STATE ZIP****8032 SILVERDALE DR CC, NV 89701****PHONE #****884-3200 884-3201****FAX #****E-MAIL ADDRESS****tkinday@westernengineering.us****Project's Assessor Parcel Number(s)****009-775-27****Street Address****4094 CENTER DRIVE CC, NV 89701****ZIP Code****Project's Master Plan Designation****SF****Project's Current Zoning****SFIA****Nearest Major Cross Street(s)****ALDER STREET****Briefly describe the components of the proposed project: in accordance with Carson City Municipal Code (CCMC), Section 18.02.075**

**A ZONING MAP AMENDMENT TO CHANGE THE ZONING
 ON A 1-ACRE PARCEL FROM SFIA TO SF21 WITHIN
 THE MASTER PLAN DESIGNATED AREA OF SF.**

PROPERTY OWNER'S AFFIDAVIT

I, James J. Schneider, 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

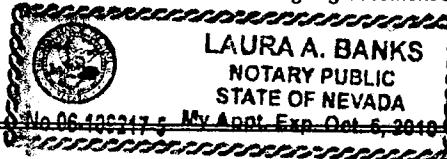
4094 Center Dr. C.C. NV. 9-5-07

Date

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

On September 5, 2007, James J. Schneider, 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



5/07

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.

James J. Schneider
Applicant

9-5-02
Date

H:\Applications\zoning map amendment-07.wpd



WESTERN ENGINEERING & SURVEYING SERVICES

CIVIL ENGINEERING • LAND SURVEYING • LAND USE PLANNING • SUBDIVISIONS

• WATER RIGHTS

RECEIVED

NOV 07 2007

CARSON CITY
PLANNING DIVISION

PROJECT DESCRIPTION & PROJECT IMPACT REPORT

FOR A ZONING MAP AMENDMENT

Located at 4094 Center Drive, Carson City, Nevada

APN: 009-775-27

For Mr. James J. Schneider

The owner/applicant, Mr. James Schneider, requests to change the zoning on a one-acre residential parcel from SF1A (Single-Family one acre) to SF21 (Single Family 21,000 square feet), located at 4094 Center Drive, north of Clearview Drive. The parcel has a Master Plan Designation of MDR (Medium Density Residential) which allows for parcels zoned with the requested SF21 zoning designation. The parcel lies at the boundary dividing line of the Carson City Master Plan. Specifically, at the MDR designation and the LDR (Low Density Residential) designation along Center Drive just north of Clearview Drive. Properties on the west side of Center Drive have a Master Plan designation of MDR, while parcels on the east side of Center Drive are designated LDR. The zoning designations for parcels west of the project site are designated SF6 (Single Family 6,000 square feet.) Parcels to the north and south of the project site are designated SF1A. The parcel currently has one single family residence, with the southerly portion remaining vacant and under utilized. By designating the parcel SF21, this infill residential parcel can be developed and meet the goals of the MDR master plan designation for this area of Center Drive.

CARSON CITY ZONING MAP AMENDMENT APPLICATION QUESTIONNAIRE

1. That the proposed amendment is in substantial compliance with and supports the goals and policies of the Master Plan.
 - a. In reviewing the attached Carson City Master Plan Policy Checklist, determine which Policies are applicable to the proposal. Explain what features of the proposed project support your selection of Goals and Policies concerning land use and related policies for the neighborhood where the subject project is located.

Goal 1.1: Promote the Efficient Use of Available Land and Resources

Policy 1.1a: Balanced Land Use Plan

SF1A (Single-Family one acre) to SF21 (Single Family 21,000 square feet) will establish a land use pattern that is consistent with the level of growth in this area of Carson City. The proposed preferred Land Use Plan for this parcel is Medium Density Residential and the requested zone change is allowed within this designated area. The general benefit to the people of Carson City is that by designating the parcel SF21 any future development would be consistent with the surrounding neighborhood and the master plan designation of medium density residential. Any

development would utilize existing utilities, such as sewer and water that existing down Center Drive.

Medium Density Residential Land Use:

MDR 1.1: Characteristics

The master plan designates that there should be a mixture of housing types within the MDR land use plan. By designating this parcel SF21 this goal can be met as there are existing neighborhoods to the west of the parcel that are smaller in size with parcels of 6,00 square feet or greater. There are existing ranchettes to the north of the project site and the possibility for a mixture of housing types to the south.

MDR 1.2: Density Range

Per the master plan the density range allows for up to 3 – 8 dwellings units per acre. This zoning map amendment would allow for two dwelling units per acre, therefore meeting this goal of the master plan.

MDR 1.3: Location

The parcel lies at the boundary dividing line of the Carson City Master Plan. Specifically, at the MDR designation and the LDR (Low Density Residential) designation along Center Drive just north of Clearview Drive. Properties on the west side of Center Drive have a Master Plan designation of MDR, while parcels on the east side of Center Drive are designated LDR. The location of the parcel is more within an urbanized area of Carson City and is located on and near the collector streets of Center Drive and Clearview Drive.

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.

- 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.)

The zoning designations for parcels west of the project site are designated SF6 (Single Family 6,000 square feet.) Parcels to the north, east, and south of the project site are designated SF1A.

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

This area in the past five years or more has been developed and has created a more suburban neighborhood of smaller lots and single family residences.

Moving away from the small one-acre ranches that exist across Center Drive, and more east of the project site.

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

The general benefit to the people of Carson City is that by designating the parcel SF21 any future development would be consistent with the surrounding neighborhood and the master plan designation of medium density residential. Any development would utilize existing utilities, such as sewer and water that existing down Center Drive.

4. 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 rezoning? How will drainage be accommodated? How have you arrived at this conclusion?

Based on previous development and existing drainage structures along Center Drive, there is adequate facilities to support any future residential development on this site.

- 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.

Per the Utilities Department of Carson City there is adequate water supply and improvements, specifically there is existing water main within Center Drive which fronts the project site.

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

The project site is bordered on the east by Center Drive. This road is a city maintained paved access to the parcel. If developed, only one residence would be added to the existing traffic counts for this road. Therefore minimal impact to the existing density is expected.

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

If any residential development occurs on the site the impact to the schools within close proximity to this site would have minimal impact.

- 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 to rezone the property, will additional means of access be required for increased density? Or will existing access ways be adequate? How have you arrived at this conclusion?

The project site is bordered on the east by Center Drive. This road is a city maintained paved access to the parcel. If developed, only one residence would be added to the existing traffic counts for this road. Therefore minimal impact to the existing density is expected.

CARSON CITY ZONING MAP AMENDMENT FINDINGS (CCMC 18.02.075)

1. *The Zoning Map Amendment must support the goals and policies of the Carson City Master Plan for the neighborhood of the subject parcel as stated in the questionnaire above.*

The proposed zoning map amendment, SF21 (Single-family 21,000 square foot), supports the goals and policies of the Carson City Master Plan for this site within the existing residential neighborhood. By designating the entire parcel SF21 the parcel would be compatible with the Master Plan Designation of MDR (Medium Density Residential) for this parcel and the surrounding parcels to the west, north and south. This parcels lies within the boundary that separates the MDR designation and the LDR (Low Density Residential) master plan designation across the street to the east of the parcel.

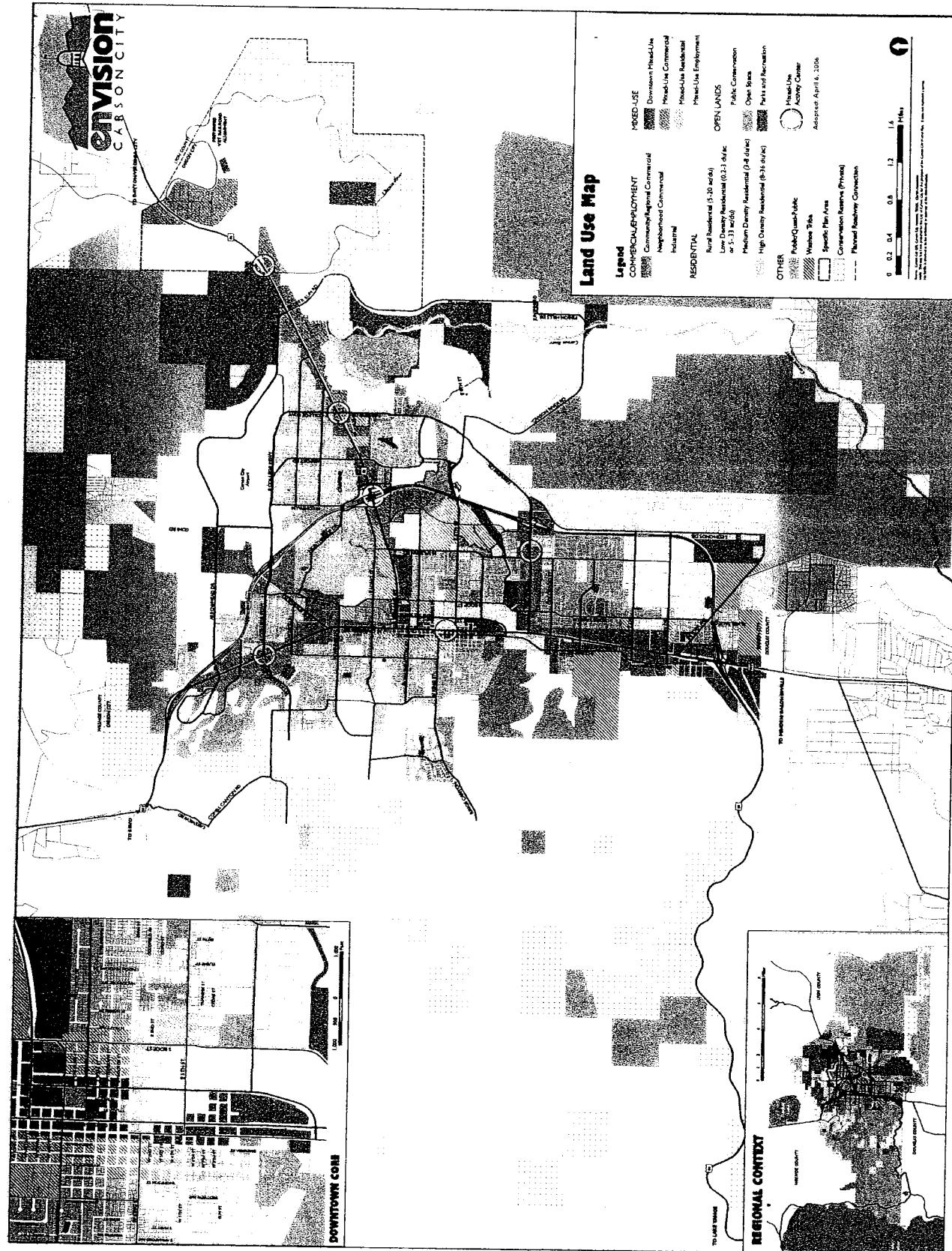
2. *The Zoning Map Amendment and subsequent development of the property will not be or have detrimental impacts on other property in the neighborhood.*

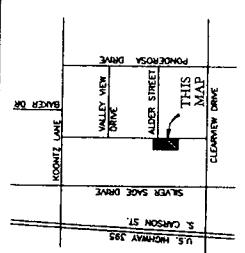
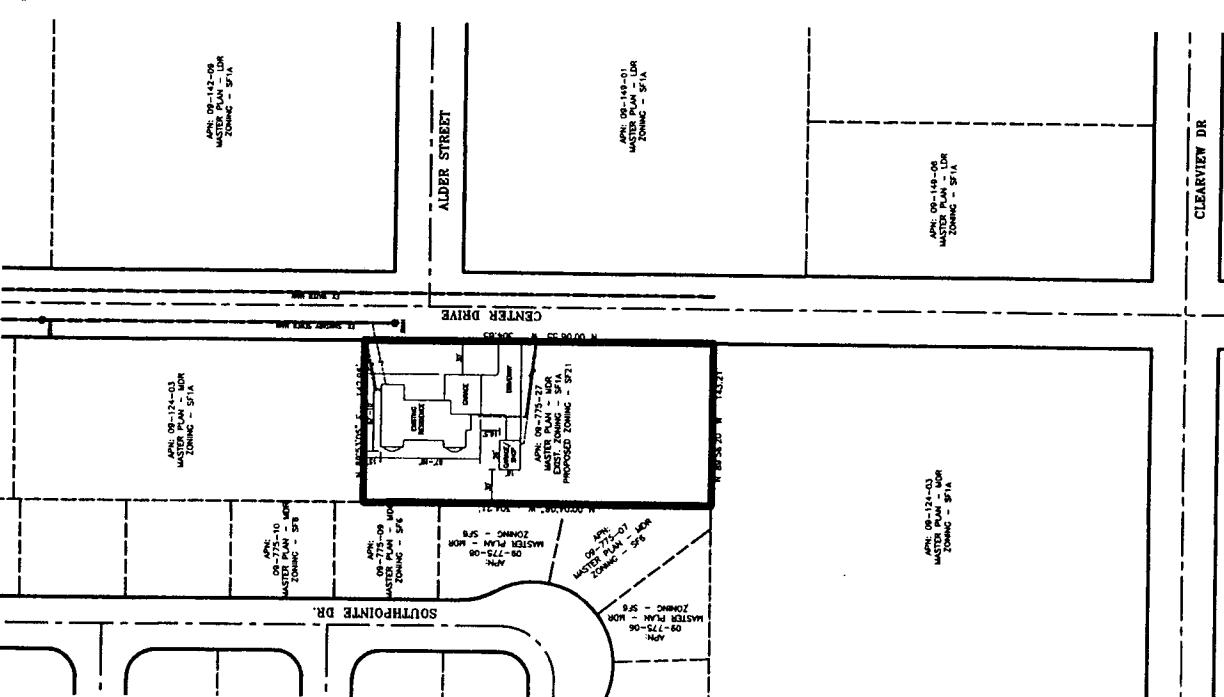
The proposed zone change on the one-acre parcel from SF1A to SF21 will establish a land use pattern that is consistent with the current master plan designation for this west side of Center Drive in Carson City, north of Clearview Drive. This area in the past five years or more has been developed and has created a more suburban neighborhood of smaller lots and single family residences. Moving away from the small one-acre ranches that exist across Center Drive, and more east of the project site.

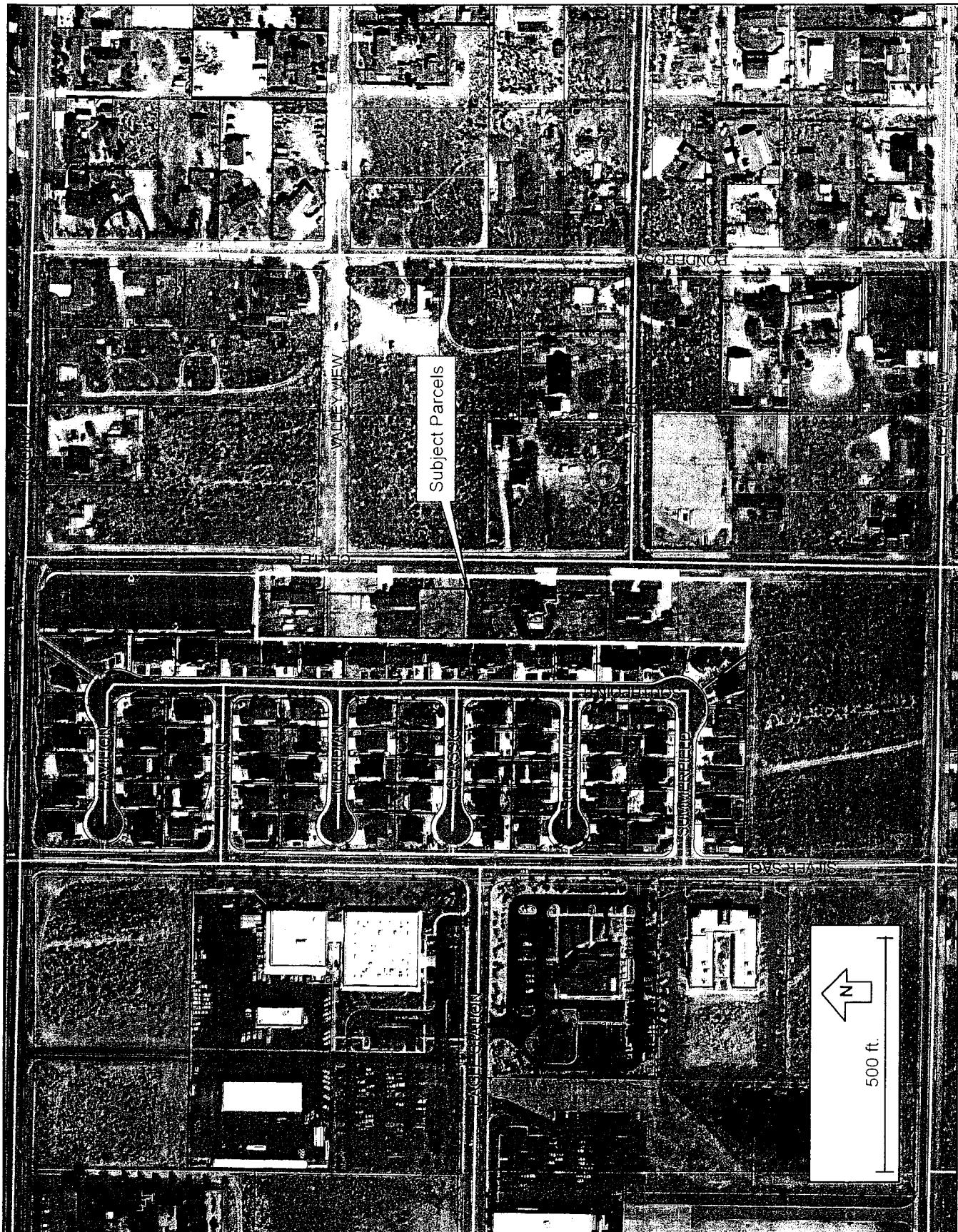
3. *The Zoning Map Amendment will have a general benefit to the people of the City as a whole.*

The general benefit to the people of Carson City is that by designating the parcel SF21 any future development would be consistent with the surrounding

neighborhood and the master plan designation of medium density residential. Any development would utilize existing utilities, such as sewer and water.



 <p>WESTERN ENGINEERING & SURVEYING SERVICES CARSON CITY, NEVADA APN 09-775-27 4004 CENTRE DR., CARSON CITY, NEVADA</p>	<p>APN 09-142-09 MASTER PLAN - SFA ZONING - SFA</p>	<p>APN 09-142-09 MASTER PLAN - SFA ZONING - SFA</p>	<p>APN 09-142-09 MASTER PLAN - SFA ZONING - SFA</p>	<p>APN 09-142-09 MASTER PLAN - SFA ZONING - SFA</p>	<p>APN 09-142-09 MASTER PLAN - SFA ZONING - SFA</p>	<p>APN 09-142-09 MASTER PLAN - SFA ZONING - SFA</p>			
<p>ZONE CHANGE AMENDMENT PLAT</p>		<p>JAMES J. & BICKY L. SCHNEIDER</p>		<p>APN 09-775-27 4004 CENTRE DR., CARSON CITY, NEVADA</p>		<p>ZONE CHANGE AMENDMENT</p>		<p>BUILDING SQUARE PROPOSED</p>	
<p>VICINITY MAP</p>									
									
<p>GRAPHIC SCALE</p>									
									
									
<p>ABBREVIATIONS</p>									
<p>MOM - MEDIAN DENSITY RESIDENTIAL LDR - LOW DENSITY RESIDENTIAL SFA - SINGLE FAMILY ACRE SF2 - SINGLE FAMILY 2 ACRE SF1 - SINGLE FAMILY 1 ACRE</p>									
<p>CLEARVIEW DR</p>									



Margaret O'Driscoll
P.O. Box 3246
Carson City, NV 89702
883-3129

Carson City Planning Division
Attn: Lee Plemel, Principal Planner
2621 Northgate Lane, Suite 62
Carson City, NV 89706

Subject: Zoning Map Amendment, File # ZMA-07-175

Dear Mr. Plemel:

My name is Margaret O'Driscoll and I live at 740 Clearview Drive in Carson City. My husband and I received an "Official Notice of Public Hearing" concerning a Zoning Map Amendment in our neighborhood; file number ZMA-07-175.

I will be unable to attend the public hearing scheduled for December 19th but I wish to go on record as being against the zoning change. When the South Pointe housing development was approved it was with the agreement that there would be a "buffer" area along the west side of Center Drive to allow for a transition between the 1-acre lots and the more densely populated area of 6 houses to the acre. I feel that this was a promise made to the residents of my neighborhood who purchased their property in the southeast section of town because of the more "rural" nature of that area.

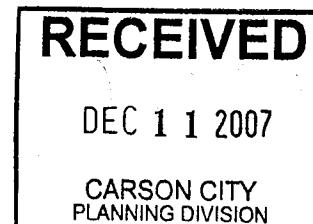
When the property owner, James Schneider, purchased the property at 4094 Center Drive he knew that the area was zoned for 1-acre lots but yet he chose to build his house in a location on his lot that would allow for it to be subdivided. Since the house is barely 2 years old, I'm assuming that there was an intention to subdivide when the lot was originally purchased. I don't feel that this is fair to those of us who are already established in the area and prefer a neighborhood of larger lots and less housing density.

Thank you for your consideration.

Sincerely,

Margaret O'Driscoll

Margaret O'Driscoll



H-4

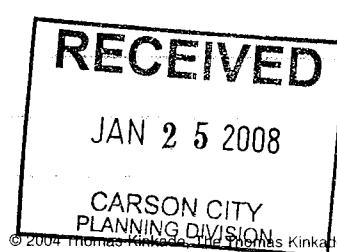
ZMA-01-175



This is in regards to changing zoning from single family one acre located at 4094 Center Line & including three parcels located at 3820-4040

Center Line. You want to make $\frac{1}{2}$ acre of 31,000, I don't want this done as I live at 3871 Southpointe & a home ~~on~~ right behind me would lower the value of my home & limit my view of mountains.

They were and were unkind first built & should stay that way.



Elaine Sharp
3871 Southpointe
Carson City, Nev
89701