



Carson City Planning Division

2621 Northgate Lane, Suite 62

Carson City, Nevada 89706

(775) 887-2180

www.carson.org

www.carson.org/planning

TO: Planning Commission

FROM: Planning Division

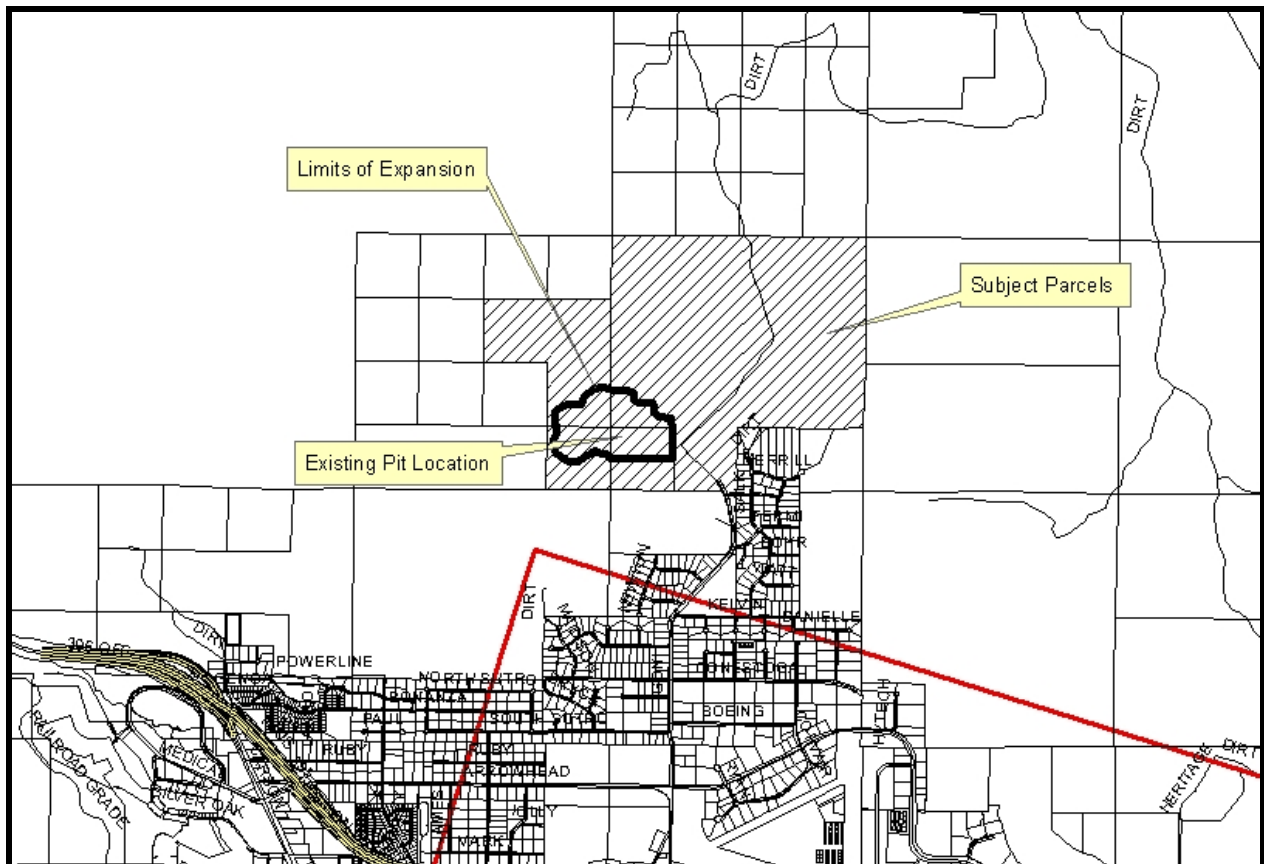
AGENDA ITEM: H-4

DATE: July 28, 2010

SUBJECT: SUP-04-095 – Cinderlite Special Use Permit review
6100 Goni Road; APN(s) 008-011-58, 008-011-57, 008-011-06 and 008-011-11

RECOMMENDED MOTION: “ I move to approve the five year review of SUP-04-095, a Special Use Permit to allow an extraction operation known as Cinderlite Goni Road Pit, located at 6100 Goni Road, APNs 008-011-58, 008-011-57, 008-011-06 and 008-011-11, based on the evaluation of the conditions of approval and with the modified conditions of approval as recommended by staff”.

VICINITY MAP:



BACKGROUND:

The Special Use Permit applicant, Gary Lehman (Cinderlite), operates an extraction operation at 6100 Goni Road, APN 8-011-58. The following are highlights of critical dates and prior actions taken regarding the applicant's Special Use Permit.

June 2005 – The Planning Commission reviewed the previously approved SUP-04-095 to allow for the expansion of the land area of a previously approved Special Use Permit U-79-30 for an extraction operation. A five year review in July 2010 was required.

June 2004 – The Planning commission approved a new Special Use Permit SUP-04-095 to allow for the expansion of the land area of a previously approved Special Use Permit U-79-30, subject to 25 conditions of approval.

October 2002 – The Planning Commission reviewed U-79-30 at the request of Carson City resulting from alleged SUP violations. At that time it was determined by the Planning Commission to continue the item to allow additional time for the applicant to address items identified by City staff and considerable objection from the public.

July 31, 2002 – The Planning Commission reviewed a staff status report regarding the operation, and the Commission heard testimony from the applicant and surrounding property owners both in support and in opposition of the existing extractions operation and alleged violations. Based on a review of a status report on the existing Special Use Permit, the Planning Commission directed the applicant to submit the required operations plan to staff by September 20, 2002, and scheduled the Special Use Permit for reexamination on October 30, 2002.

May 29, 2002 – Neighbors in the vicinity presented complaints regarding the existing operation to the Planning Commission, and the Planning Commission directed staff to investigate these complaints with regards to the conditions of approval.

December 2000 – The Planning Commission conducted its review of the Special Use Permit and removed the requirement for the Commission's annual review of the application, requiring that an operations plan be submitted to staff annually.

August 1994 – The conditions of approval were modified substantially, with a total of 18 conditions.

May 1975 – Eagle Valley Construction obtained a Special Use Permit for a sand extraction operation at the subject location. A yearly review of the permit was required and conducted by the Planning Commission. This was one of four conditions of approval placed on the operation at the time.

DISCUSSION:

The Cinderlite Goni Road Pit is located in the northern portion of Carson City and currently produces screened decomposed granite, base rock, drain rocks, structural fill materials, decorative rocks and assorted boulders. Some noted jobs include Carson Tahoe Regional Medical Center, erosion control for Hwy 28 and 50 in the Tahoe Basin and various products for the new Carson Bypass and I-580 extensions.

The purpose of this item is to satisfy the requirement noted below.

Pursuant to the Carson City Municipal Code, 18.14 Extraction Operations, 18.14 .040 Periodic Review of Conditions:

Aggregate operations and extraction facilities approved for a period of more than five (5) years shall have a review of their conditions by the Commission every five (5) years from the initial Special Use Permit approval date to ensure that the conditions are continuing to adequately provide for the continued compatibility between aggregate operations and the surrounding land uses. Enforcement of this provision shall be accomplished as follows:

- *The owner/operator shall request a review by the Commission one hundred eighty (180) days prior to the five (5) year approval anniversary date of the original permit approval and subsequent five (5) year periods there after.*

The most recent action taken by the Planning Commission regarding the Special Use Permit conditions of approval was on June 29, 2005 (see attached notice of decision). These conditions of approval are currently, in effect.

City staff conducted a site visit of the Cinderlite Pit on July 15, 2010, and found the site to be in accordance with the development plans approved with SUP-04-095. City Staff has also evaluated the conditions of approval and has determined that the applicant has thus far complied with the conditions of approval, with the exception of additional clarification of Condition of Approval # 14:

Carson City will require mitigation of the residential portion of Goni Road from Conestoga to Avery, so that the street will be able to handle the loading proposed from the pit expansion. Cinderlite will participate in the reconstruction of Goni Road north of Conestoga Drive in the amount of \$125,712 at the time of reconstruction in approximately 12 years from the initial Planning Commission approval. This equates to approximately \$10,000 per year as Cinderlite's obligation.

Cinderlite has worked with City staff regarding the mitigation of the truck traffic impacts on Goni Road. The reconstruction of Goni Road has not taken place. City Staff (City Engineer, City Manager, Planning Director and Public Works Director) will meet with Cinderlite to further evaluate the mitigation expectations associated with the Goni Road reconstruction. This is an appropriate time to have this discussion to clarify any misconceptions of the expectations of Carson City and the applicant regarding the reconstruction. However, no modification of Condition of Approval #14 is recommended by Staff at this time.

In reviewing the information provided by the applicant and the evaluation of the existing conditions of approval, Staff is recommending the Planning Commission approval of the review of this Special Use Permit, subject to the modified conditions of approval noted on pages 4-6.

PUBLIC COMMENTS: On July 09, 2010, public notices were mailed to 30 adjacent property owners within 300 feet of the subject parcel in accordance with the provisions of NRS and CCMC 18.02.045 by the Planning Division. As of July 16, 2010, written comments have been received in favor of this five year review. 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.

RECOMMENDED MODIFICATIONS

If the Planning Commission finds that SUP-04-095 is in compliance with the conditions of approval and the current extraction operation standards of CCMC 18.14, staff recommends that the conditions of approval for the operation be modified as follows to (underlined text is added; strike-through text is deleted):

1. The applicant must sign and return the Notice of Decision for conditions for approval within 10 days of receipt of notification. If the Notice of Decision is not signed and returned within 10 days, then the item will be rescheduled for the next Planning Commission meeting for further consideration.
2. All development shall be substantially in accordance with the development plans approved with this application, except as otherwise modified by these conditions of approval.
3. All on- and off-site improvements shall conform to City standards and requirements.
4. This permit shall encompass rock, sand and gravel extraction only.
5. The permit holder shall comply with, applicable requirements of NDEP for noise, erosion, air pollution and dust control.
6. The permit holder shall ensure that water or other appropriate wetting agents are utilized on the stock-piled material.
7. The final reclamation plan shall incorporate a minimum cover of six inches of top soil and native plant materials and submitted to and approved by Development Engineering. Maximum finish gradient shall be 3:1 (33% slope) or less. The reclamation plans shall be administered through BLM as well as bonding requirements. The applicant shall submit for a no-fee grading permit for the final reclamation plan. A City permit will be issued as manner of record keeping for the closure of extraction operations.
8. No importation of materials for processing is allowed.
9. ~~Hydro seeding of the southern boundary of the pit shall be completed by January 1, 2005.~~
10. When operations are not ongoing, the site must be secured by gates, burming and boulders and signage posted at the perimeter of the pit every 200 feet by the owner/operator and City Planning Staff.

11. Operating hours are to be from 6:00 a.m. to 6:00 p.m., Monday through Friday, and from 7:00 a.m. to 5:00 p.m. on Saturday. Operating on Sunday would be on emergency basis only, emergency basis means fire, flood or other major event where the City is in need of material for a crisis.
12. All vehicles entering and leaving the site shall travel at not more than 25 miles per hour per the posted speed limit.
13. This Special Use Permit shall expire upon completion of the mining operation per the approved mining plan.
14. Carson City will require mitigation of the residential portion of Goni Road from Conestoga to Avery, so that the street will be able to handle the loading proposed from the pit expansion. Cinderlite will participate in the reconstruction of Goni Road north of Conestoga Drive in the amount of \$125,712 at the time of reconstruction in approximately 12 years. This equates to approximately \$10,000 per year as Cinderlite's obligation.
15. The site shall be reviewed as related to drainage and erosion by the City Engineer on an annual basis, in June of each year. The applicant agrees to maintain any storm water basin in accordance with the "Carson City Storm Water Facilities Operation and Maintenance Manual." The applicant shall protect or mitigate disturbance to any nature drainage course as required under the Carson City Development Standards per the City Engineer.
16. All federal, state and other local agency approvals shall be secured relative to the operation of this facility.
17. Adequate bonding to guarantee any restoration operations is necessary at the site at an amount of one hundred fifty percent (150%) of the cost estimate. Carson City Engineering Division will coordinate with BLM to determine the adequacy of the bonding amount to ensure that final grading and re-vegetation will meet City standards. The bond shall continue for the duration of the project and updated every three years by the owner/operator, City Engineer and the Bureau of Land Management (BLM).
18. Cinderlite will limit public access to the pit, including continued utilization of the gate at the entrance to the pit and the strategically located boulders along the access road for the power line which runs along the south side of the pit for restricted access into the pit. During expansion of the pit there will be caution signs placed approximately every 200 feet along the pit perimeter.
19. There shall be no waste development from the mining activity.
20. Blasting is occasionally required when an exceptionally hard area of bedrock is encountered. It is anticipated that blasting will be required four to six times per year. Prior to any blasting the fire and sheriff departments shall be notified and appropriate safety measures will be enforced to ensure no people are in the vicinity of the blast. Blasting hours shall be from 10:00 a.m. to 4:00 p.m., Monday through Friday only.

21. The owner/operator shall request a review by the Commission one hundred eighty (180) days prior to the five (5) year approval anniversary date of this permit approval and subsequent five (5) year periods thereafter. **The next scheduled update for SUP-04-095 will be the scheduled Planning Commission meeting for July 2015.**
22. The owner/operator will ~~need to~~ maintain the existing fire access road to the Wildland area, or provide a new fire access road if existing roads are blocked or eliminated per the Carson City Fire Department.
23. ~~The Carson City Planning staff and applicant shall contact the Carson City School District to study the elementary school bus stop location and determine if there are any safety issues as a result to the proximity to Goni Road and the proposed truck traffic, this shall be completed by September 1, 2004.~~
24. The upper limit of on-site disturbance on the existing pit is at an elevation of approximately 5,280 feet. The maximum upper elevation of the proposed expansion is at an elevation of approximately 5,330 feet per the approved mining plan.
25. The owner/operator (Cinderlite) will continue to work with City staff (Juan Guzman, Open Space Manager) to provide additional mitigation measures pursuant to Mr. Guzman's memo of July 21, 2004.

Attachments:

Notice of Decision from July 28, 2004

Cinderlite request and responses to the approved conditions of approval

18.14 extraction Operations

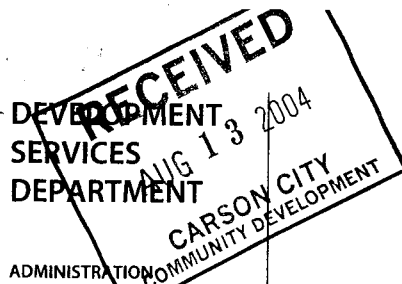
Fire comments

Open Space comments

Engineering comments

Public comments (Jose and Jeanne Ramirez)

Open Space Nevada Appeal article



CARSON CITY NEVADA

Consolidated Municipality and State Capital



ADMINISTRATION
3505 Butti Way
Carson City, NV 89701-3498
Ph: 775-887-2355
Fx: 775-887-2112

**BUILDING and
SAFETY DIVISION
PERMIT CENTER**
2621 Northgate Lane, Suite 6
Carson City, NV 89706-1319
Ph: 775-887-2310
Fx: 775-887-2202

CAPITAL PROJECTS
3505 Butti Way
Carson City, NV 89701-3498
Ph: 775-887-2355
Fx: 775-887-2112

CONTRACTS
3505 Butti Way
Carson City, NV 89701-3498
Ph: 775-887-2355
Fx: 775-887-2112

ENGINEERING DIVISION
2621 Northgate Lane, Suite 24
Carson City, NV 89706-1319
Ph: 775-887-2300
Fx: 775-887-2283

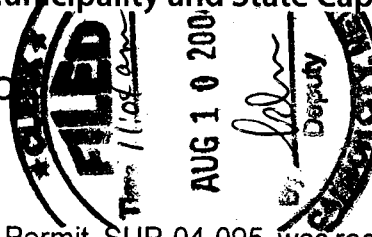
FLEET SERVICES
3303 Butti Way, Building 2
Carson City, NV 89701-3498
Ph: 775-887-2356
Fx: 775-887-2258

PLANNING DIVISION
2621 Northgate Lane, Suite 62
Carson City, NV 89706-1319
Ph: 775-887-2180
Fx: 775-887-2278

PUBLIC WORKS OPERATIONS
(Water, Sewer, Wastewater,
Streets, Landfill, Environmental)
3505 Butti Way
Carson City, NV 89701-3498
Ph: 775-887-2355
Fx: 775-887-2112

TRANSPORTATION
3505 Butti Way
Carson City, NV 89701-3498
Ph: 775-887-2355
Fx: 775-887-2112

PLANNING COMMISSION
July 28, 2004
NOTICE OF DECISION



A request for a Special Use Permit, SUP-04-095, was received from Cinderlite and MACTEC Engineering (property owners: Golden Sierra Investments and BLM) to allow for expansion of land area of a previously approved Special Use Permit, U-79-30, for an extraction operation, on property zoned Conservation Reserve (CR) and Public Regional (PR), located at 6100 Goni Road, APN's 008-011-57, 008-011-58, 008-011-11, and 008-011-06, pursuant to the requirements of the Carson City Municipal Code.

The Planning Commission conducted a public hearing on July 28, 2004, in conformance with City and State legal requirements, and approved SUP-04-095 based on the findings contained in the staff report and subject to the following revised conditions of approval:

CONDITIONS OF APPROVAL:

The following shall be completed prior to commencement of the use:

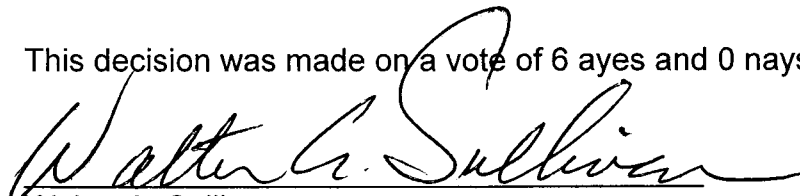
1. The applicant must sign and return the Notice of Decision for conditions for approval within 10 days of receipt of notification. If the Notice of Decision is not signed and returned within 10 days, then the item will be rescheduled for the next Planning Commission meeting for further consideration.
2. All development shall be substantially in accordance with the development plans approved with this application, except as otherwise modified by these conditions of approval.
3. All on- and off-site improvements shall conform to City standards and requirements.
4. This permit shall encompass rock, sand and gravel extraction only.
5. The permit holder shall comply with, applicable requirements of NDEP for noise, erosion, air pollution and dust control.
6. The permit holder shall ensure that water or other appropriate wetting agents are utilized on the stock-piled material. ~~during site operations.~~
7. The final reclamation plan shall incorporate a minimum cover of six inches of top soil and native plant materials and submitted to and approved by Development Engineering. Maximum finish gradient shall be 3:1 (33% slope) or less. The reclamation plans shall be administered through BLM as well as bonding requirements. The applicant shall submit for a no-fee grading permit for the final reclamation plan. A City permit will be issued as manner of record keeping for the closure of extraction operations.
8. No importation of materials for processing is allowed.

9. Hydro seeding of the southern boundary of the pit shall be completed by January 1, 2005. within 12 months from July 28, 2004.
10. When operations are not ongoing, the site must be secured by gates, burning and boulders and signage posted at the perimeter of the pit every 200 feet by the owner/operator and City Planning Staff.
11. Operating hours are to be from 6:00 a.m. to 6:00 p.m., Monday through Friday, and from 7:00 a.m. to 5:00 p.m. on Saturday. Operating on Sunday would be on emergency basis only, emergency basis means fire, flood or other major event where the City is in need of material for a crisis.
12. All vehicles entering and leaving the site shall travel at not more than 25 miles per hour per the posted speed limit.
13. This Special Use Permit shall expire upon completion of the mining operation per the approved mining plan.
14. Carson City will require mitigation of the residential portion of Goni Road from Conestoga to Avery, so that the street will be able to handle the loading proposed from the pit expansion. Cinderlite will participate in the reconstruction of Goni Road north of Arrowhead Conestoga Drive in the amount of \$125,712 at the time of reconstruction in approximately 12 years. This equates to approximately \$10,000 per year as Cinderlite's obligation.
15. The site shall be reviewed as related to drainage and erosion by the City Engineer on an annual basis, in June of each year. The applicant agrees to maintain any storm water basin in accordance with the "Carson City Storm Water Facilities Operation and Maintenance Manual." The applicant shall protect or mitigate disturbance to any nature drainage course as required under the Carson City Development Standards per the City Engineer.
16. All federal, state and other local agency approvals shall be secured relative to the operation of this facility.
17. Adequate bonding to guarantee any restoration operations is necessary at the site at an amount of one hundred fifty percent (150%) of the cost estimate. Carson City Engineering Division will coordinate with BLM to determine the adequacy of the bonding amount to ensure that final grading and re-vegetation will meet City standards The bond shall continue for the duration of the project and updated every three years by the owner/operator, City Engineer and the Bureau of Land Management (BLM).
18. Cinderlite will limit public access to the pit, including continued utilization of the gate at the entrance to the pit and the strategically located boulders along the access road for the power line which runs along the south side of the pit

for restricted access into the pit. During expansion of the pit there will be caution signs placed approximately every 200 feet along the pit perimeter.

19. There shall be no waste development from the mining activity.
20. Blasting is occasionally required when an exceptionally hard area of bedrock is encountered. It is anticipated that blasting will be required four to six times per year. Prior to any blasting the fire and sheriff departments shall be notified and appropriate safety measures will be enforced to ensure no people are in the vicinity of the blast. Blasting hours shall be from 10:00 a.m. to 4:00 p.m., Monday through Friday only.
21. The owner/operator shall request a review by the Commission one hundred eighty (180) days prior to the five (5) year approval anniversary date of this permit approval and subsequent five (5) year periods thereafter.
22. The owner/operator will need to maintain the existing fire access road to the wildland area, or provide a new fire access road if existing roads are blocked or eliminated per the Carson City Fire Department.
23. The Carson City Planning staff and applicant shall contact the Carson City School District to study the elementary school bus stop location and determine if there are any safety issues as a result to the proximity to Goni Road and the proposed truck traffic, this shall be completed by September 1, 2004. ~~within 12 months of approval date.~~
24. The upper limit of on-site disturbance on the existing pit is at an elevation of approximately 5,280 feet. The maximum upper elevation of the proposed expansion is at an elevation of approximately 5,330 feet per the approved mining plan.
25. The owner/operator (Cinderlite) will continue to work with City staff (Juan Guzman, Open Space Manager) to provide additional mitigation measures pursuant to Mr. Guzman's memo of July 21, 2004.

This decision was made on a vote of 6 ayes and 0 nays.

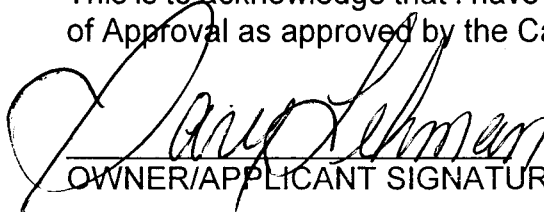

Walter A. Sullivan
Planning and Community Development Director

WAS/js

Mailed: 8/10/04 By: RMT

**PLEASE SIGN AND RETURN THIS NOTICE OF DECISION
WITHIN TEN DAYS OF RECEIPT**

This is to acknowledge that I have read and will comply with the Conditions of Approval as approved by the Carson City Planning Commission.

 8/12/04
OWNER/APPLICANT SIGNATURE DATE

GARY Lehman
PLEASE PRINT YOUR NAME HERE

RETURN TO:

Planning and Community Development Department
2621 Northgate Lane, Suite 62, Carson City, NV 89706

- Enclosures:
1. Planning Commission Notice of Decision (2 copies - Please sign and return only one; the second copy is for your records.)
 2. Self-Addressed Stamped Envelope



Decorative Rock • Sand • Gravel • Topsoil • Cinders • Bark • Boulders • D.G.
1665 South Sutro Terrace • Carson City, Nevada 89706
(775) 882-4483

RECEIVED

FEB 16 2010

CARSON CITY
PLANNING DIVISION

February 12th, 2010

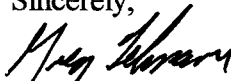
Carson City Planning Division
2621 Northgate Lane
Carson City, NV 89706

RE: SUP-04-095 required Planning Commission five-year review.

Dear Mrs. Pruitt

Thank you for the letter regarding our five - year review. This letter serves as the request for a five-review of SUP-04-095 as required by condition #21 of the Special Use Permit. Also attached are the written responses to all 25 conditions of approval as requested by your February 3rd, 2010 letter. I appreciate your time and cooperation and if you need any further information or documentation please feel free to call me at 882-4483 or by email at greg@cinderlite.com.

Sincerely,



Greg Lehman



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1665 South Sutro Terrace • Carson City, Nevada 89706
(775) 882-4483

RE: SUP-04-095

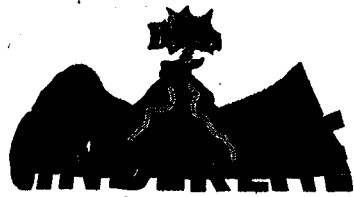
Responses to 25 Conditions of Approval for five year review.

1. Notice of Decision was signed and returned within 10 days
2. All development has been in accordance with the development plans approved with the application, except as otherwise modified by conditions of approval.
3. All on – and off-site improvements have conformed to City standards and requirements.
4. The operation encompasses rock, sand and gravel extraction only.
5. Cinderlite complies with NDEP for noise, erosion, air pollution and dust control.
6. Cinderlite ensures that water or other appropriate wetting agents are and have been utilized on the stockpiled material during site operation.
7. Cinderlite is currently operating the site and reclamation has not begun. A bond from the approved reclamation plan with BLM is on file and secured with BLM with adequate bond coverage. This is reviewed and monitored by BLM.
8. Cinderlite has not imported materials for processing.
9. Cinderlite hydro seeded southern boundary in fall of 2004. Cinderlite also planted trees around perimeter of southern edge after talking with Nevada Cooperative Extension regarding proper species.
10. The site is posted and secured with gates, fencing and berms.
11. Cinderlite complies with operating hours established by the SUP.
12. Cinderlite complies with speed limit of 25 miles per hour and has posted signs inside operation for all drivers.
13. Cinderlite is currently mining per the approved mining plan.



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(775) 882-4483

14. Cinderlite has addressed the condition requiring participation of road repair in a letter dated July 20th, 2004, and received by Carson City July 21st, 2004. Attached is the letter.
15. City engineer has visited Cinderlite and site during prior five years. I don't have exact dates, but on every visit there have been no problems or issues.
16. All federal, state and other local agency approvals have been secured and met relative to the operation of the facility.
17. Adequate bonding is in place and reviewed by BLM.
18. Cinderlite limits public access to the pit with gates, fences, berms and boulders along with proper signage.
19. There is no waste development associated with the mining operation.
20. Blasting has been minimal but when required notification and safety measures are followed. Blasting only occurs during hours approved in the SUP.
21. Attached is a letter to request a review.
22. Cinderlite maintains a fire access road to wildland area.
23. Study was conducted by Carson City School District in late August/September of 2004 and determined routes and stops were safe. See attached letter from Mike Mitchell, Carson City School District Operations Director.
24. Cinderlite acknowledges upper limit for on-site disturbance and has not disturb anything beyond those limits established in approved BLM/Carson City mining plan and conditions of SUP.
25. Cinderlite entered into a temporary open space agreement with Juan Guzman, Open Space Manager, providing 40 acres of open space as mitigation for the use of approximately 23 acres of BLM land. This agreement was finalized in 2005.



ROCK • SAND • TRUCKING

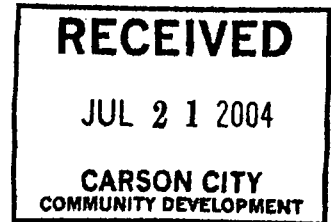
1665 S. SUTRO TERRACE
CARSON CITY, NEVADA 89706

TELEPHONE (775) 882-4483
FAX (775) 882-1671

July 20, 2004

Carson City Community Development
2621 Northgate Lane, Suite 62
Carson City, Nevada 89706

Attn: Jennifer Pruitt
Senior Planner



**RE: Cinderlite Goni Pit
Special Use Permit Application**

Dear Mrs. Pruitt:

This letter is to confirm the outcome of a meeting between Cinderlite and Mr. Larry Werner, City Engineer for Carson City with regard to truck traffic impacts on Goni Road. This is to further clarify impacts to Goni Road as called for in Carson City Municipal Code Section 18.14.005, Extraction Operations, under Submittal Requirements in section 18.14.025, item 1, Transportation.


Carson City has evaluated the current pavement section on Goni road north of Arrowhead and found it to be 3 inches of AC (asphaltic concrete) on 6 inches of AB (aggregate base). Projected truck traffic for Cinderlite's Goni Pit projects the need, over the next twelve years, for the pavement section to be rebuilt at 5 inches of AC on 10 inches of AB to accommodate the increased truck traffic. The City would like Cinderlite to participate in the reconstruction of Goni Road north of Arrowhead in the amount of \$125,712 at the time of reconstruction in approximately 12 years. This equates to approximately \$10,000 per year as Cinderlite's obligation.

Cinderlite's obligation will be accommodated by applying their sales tax revenue and registration fees. Cinderlite paid \$105,548.12 to Carson City in sales tax in 2003 where 0.25% is applied directly to transportation and roads. This totals \$3,769.58 in 2003. In addition, Cinderlite pays registration fees for their fleet of vehicles amounting to approximately \$36,509.82 per year, of which \$9,649.92 goes directly to Carson City. The remaining registration fees go to the State of Nevada to mitigate the wear and tear on state and federal highways. These numbers do not include any fuel taxes or over length and weight permits that Carson City may also receive.

If you have any questions please call at any time.

Sincerely,

Cinderlite Trucking Inc.


Greg Lehman

Jenns copy

**OPERATIONS DEPARTMENT**

P. O. Box 603
1402 West King Street
Carson City, Nevada 89702

Telephone 775/283-2120
Fax 775/283-2090

September 2, 2004

Carson City Planning and Community Development
Jennifer Pruitt, AICP, Senior Planner
2621 Northgate Lane, Suite 62
Carson City, NV 89706

Re: SUP-04-095

Dear Ms. Pruitt:

As a result of the referenced Special Use Permit, the Carson City School District Transportation Department has studied the school bus routing and school bus stop locations associated with Goni Road and the residential neighborhoods north of Arrowhead Drive.

The District feels that the current bus routes and bus stop locations servicing this area provide for as safe a service as possible given the lack of sidewalks as typically found throughout Carson City in neighborhoods such as this.

It is important to note that children are not required to cross Goni in order to get to their assigned bus stop. Additionally, bus stops are located in such a manner as to minimize the distances that children must walk and the speed limit on Goni is consistent with other residential areas.

Please don't hesitate to contact me if you have any further questions regarding this matter.

Sincerely,


Mike Campbell
Director of Operations



18.14
Extraction Operations

Sections:

18.14.005	Title	1
18.14.010	Purpose	1
18.14.015	Applicability.....	1
18.14.020	Procedures	1
18.14.025	Submittal Requirements	1
18.14.030	Temporary On-Site Aggregate Facilities	2
18.14.035	Findings	3
18.14.040	Periodic Review of Conditions	3

Chapter 18.14 Extraction Operations

18.14.005 Title. This Title shall be known as the Extraction Operations Ordinance.

18.14.010 Purpose. It is the purpose of this Section to ensure that the public's safety, health and welfare is not adversely affected by extraction operations while maintaining continued access and opportunity for aggregate resources. Carson City recognizes that sand and gravel materials are valuable resources and should be managed as are other resources. Carson City also recognizes that the price of sand and gravel materials varies proportionally with the distance from the source to the final destination and that it is important to the city's economy to provide for sources of material from different locations throughout Carson City.

18.14.015 Applicability.

1. Any extraction operation resulting in the removal and/or recovery of five hundred (500) cubic yards of material or greater from a single site as defined in Title 18 (Definitions), shall be subject to these regulations.
2. Temporary on site aggregate facilities/production are allowed in any land use district with the approval of a Special Use Permit.
3. Excavations for the location of utilities, operations of cemeteries, excavations conducted in compliance with or as part of a building permit, or grading permit issued by Carson City, or those operations conducted and permitted by Development Engineering Services and the NDOT are exempt from these regulations.

18.14.020 Procedures. Extraction operations shall not be conducted unless the Commission has approved a Special Use Permit based on the findings and submittal requirements of this Section.

18.14.025 Submittal Requirements. In addition to the submittal requirements for Special Use Permits defined in Title 18 (Special Use Permits), an applicant for extraction operations shall submit the following materials and information:

1. Transportation:
 - a. Designation of specific haul routes for all vehicles and equipment to and from the site, subject to the approval of the City Engineer.
 - b. Provision for the maintenance and potential repair of streets and roads designated as haul routes for extraction operations.
 - c. Intensity of truck usage (types of vehicles, estimated trips per day, etc.).

Chapter 18.14 Extraction Operations

2. Proposed hours of operation.
3. Reclamation plan including appropriate planting methods, vegetation and time frames for re-vegetation and slope stabilization.
4. Plans for on and off site erosion control.
5. A dust control plan including proposed abatement methods for both on-site and off-site (hauling) activities.
6. Proposed security fencing.
7. Plans for preserving the natural drainage of the area and controlling run-off.
8. Bonding amounts based on one hundred fifty percent (150%) of the estimated costs for meeting the provisions of this Title.
9. Plans for noise and visual buffering to mitigate impacts to surrounding land uses. May be waived at the discretion of the Director if circumstances warrant potential impacts are non-existent.
10. If the site will be located on public lands, documentation of approval by the applicable public land manager.
11. Plans for the preservation or stockpiling of topsoil.
12. Plans for maintenance and phasing of operations.

18.14.030 Temporary On-site Aggregate Facilities/Production. Aggregate facilities subject to this Section are to be restricted to temporary usage and allowed in any land use district. Applications for this type of use shall support the following provisions:

1. The temporary aggregate site shall identify the project that it is to serve and must be within a five mile radius of the project site.
2. No Special Use Permit for a temporary facility shall be effective until the project which it is to serve has received all necessary approval and permits.
3. No outside sales of material will be allowed.
4. Once the project is complete the aggregate facility site will be restored and rehabilitated to its natural state.

Chapter 18.14 Extraction Operations

18.14.035 Findings. After considering recommendations from Development Engineering Services, Environment Health, Planning and Community Development Department, Sheriff's Office and any other appropriate agency or department, the Commission may approve, approve with conditions, modify or deny the requested Special Use Permit application based on the following findings:

1. The use is specifically listed within the zoning district in which the operation is to take place.
2. The operation does not adversely effect the natural drainage of the area.
3. The site shall be restored to acceptable grades and revegetated during and at the completion of the operation.
4. There is adequate bonding to guarantee any restoration operations necessary at the site at an amount of one hundred fifty percent (150%) of the cost estimate. The bond shall continue for the duration of the project. The bond amount shall also be reviewed every three (3) to five (5) years for adequacy. Bonds shall be increased to adequately cover of any cost adjustments.

18.14.040 Periodic Review of Conditions. Aggregate operations and extraction facilities approved for a period of more than five (5) years shall have a review of their conditions by the Commission every five (5) years from the initial Special Use Permit approval date to ensure that the conditions are continuing to adequately provide for the continued compatibility between aggregate operations and the surrounding land uses. Enforcement of this provision shall be accomplished as follows:

1. The owner/operator shall request a review by the Commission one hundred eighty (180) days prior to the five (5) year approval anniversary date of the original permit approval and subsequent five (5) year periods there after.
2. The owner/operator of any aggregate facilities seeking an extension of an approved Special Use Permit shall request an extension and review of conditions no less than one hundred eighty (180) days prior to expiration of the Special Use Permit. The extension shall consider the required findings and special considerations for aggregate operations to ensure that the conditions of approval adequately provide for compatibility between the aggregate facility and the surrounding land uses.

**PUBLIC WORKS
DEPARTMENT**

ADMINISTRATION
3505 Butti Way
Carson City, NV 89701-3498
Ph: 775-887-2355
Fx: 775-887-2112

CONTRACTS
3505 Butti Way
Carson City, NV 89701-3498
Ph: 775-887-2355
Fx: 775-887-2112

FLEET SERVICES
3303 Butti Way, Building 2
Carson City, NV 89701-3498
Ph: 775-887-2356
Fx: 775-887-2258

OPERATIONS
(Water, Sewer, Wastewater,
Streets, Landfill, Environmental)
3505 Butti Way
Carson City, NV 89701-3498
Ph: 775-887-2355
Fx: 775-887-2112

**TRANSPORTATION/
CAPITAL PROJECTS**
3505 Butti Way
Carson City, NV 89701-3498
Ph: 775-887-2355
Fx: 775-887-2112

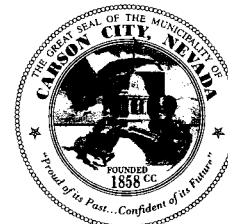
**DEVELOPMENT
SERVICES**

**BUILDING and SAFETY
PERMIT CENTER**
2621 Northgate Lane, Suite 6
Carson City, NV 89706-1319
Ph: 775-887-2310
Fx: 775-887-2202

DEVELOPMENT ENGINEERING
2621 Northgate Lane, Suite 54
Carson City, NV 89706-1319
Ph: 775-887-2300
Fx: 775-887-2283

PLANNING
2621 Northgate Lane, Suite 62
Carson City, NV 89706-1319
Ph: 775-887-2180
Fx: 775-887-2278

CARSON CITY NEVADA
Consolidated Municipality and State Capital



RECEIVED

JUL 14 2010

CARSON CITY
PLANNING DIVISION

**Engineering Division
Planning Commission Report
File Number SUP 04-095**

TO: Planning Commission

FROM: *JS* Jeff Sharp, P.E. – City Engineer

DATE: July 14, 2010

MEETING DATE: July 28, 2010

SUBJECT TITLE:

Action to consider an application for the continuance of SUP 04-095 for Cinderlite Trucking to operate a sand and gravel extraction operation at 1600 Goni Rd., APN 08-011-06, 08-011-08, 08-011-11, 08-011-57 and 08-011-58. The site is on property zoned Public Regional and Conservation Reserve.

RECOMMENDATION:

The Engineering Division has no preference or objection to the continuance of SUP 04-095 subject to the original conditions of approval. It appears that the applicant has thus far complied with the conditions of approval. It is recommended that this SUP be reviewed again in another five years.

DISCUSSION:

The Engineering Division has reviewed the conditions of approval within our areas of purview relative to adopted standards and practices and to the provisions of CCMC 18.02.080, Conditional Uses.

CCMC 18.02.080 (2a) - Adequate Plans

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

CCMC 18.02.080 (5a) - Master Plan

The request is not in conflict with any Engineering Master Plans for streets or storm drainage.

CCMC 18.02.080 (5c) - Traffic/Pedestrians

The proposal will have little effect on traffic or pedestrian facilities.

CCMC 18.02.080 (5d) - Public Services

The conditions of approval provide adequate mitigation.

H:\EngDept\P&ESHARE\Engineering\Planning Commission Reports\Special Use Permits\2010\SUP 04-095 Cinderlite Trucking Gravel Pit, 1600 Goni Rd, APN 08-011-06.doc



CARSON CITY, NEVADA

CONSOLIDATED MUNICIPALITY AND STATE CAPITAL

MEMORANDUM

RECEIVED

JUL 22 2010

CARSON CITY
PLANNING DIVISION

TO: Lee Plemel, Planning Director
Jennifer Pruitt, Senior Planner

FROM: Roger Moellendorf, Parks and Recreation Director
Juan F. Guzman, Open Space Manager
Vern L. Krahn, Park Planner

DATE: July 22, 2010

SUBJECT: Parks and Recreation Department's comments for the
Wednesday, July 28, 2010, Planning Commission meeting

AB-10-038	No Comments
SUP-04-095	Please refer to the previously submitted Parks and Recreation Department letter from Juan F. Guzman, Open Space Manager, dated July 13, 2010.
SUP-10-041	No Comments



CARSON CITY FIRE DEPARTMENT

"Service with Pride. Commitment. Compassion"

MEMORANDUM

TO: Community Development

FROM: Duane Lemons, Fire Inspector

DATE: July 7, 2010

SUBJECT: AGENDA ITEMS FOR JULY 28, 2010 PLANNING COMMISSION MEETING.

We reviewed the agenda items for the July 28, 2010 Planning Commission Meeting and have the following comments:

- AB-10-038 Greg Phillips Tri State Surveying We have no concern with this request.
- SUP-04-095 Cinderlite & MACTEC Eng No objections to continue operations as instructed per SUP-04-095.
- SUP-10-041 Balwinder S Thind Must meet all codes and ordinances as they relate to this request.
- .

DL/llb



CARSON CITY, NEVADA

CONSOLIDATED MUNICIPALITY AND STATE CAPITAL

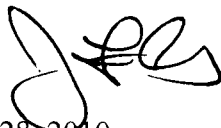
MEMORANDUM

RECEIVED

JUL 13 2010

CARSON CITY
PLANNING DIVISION

To: Jennifer Pruitt, Senior Planner

From: Juan F. Guzman, Open Space Manager 

Subject: Planning Commission Meeting of July 28, 2010
SUP-04-095 Planning Commission 5-Year Review of Cinderlite Trucking Corporation SUP

Date: July 13, 2010

Condition of Approval #25 of the Special Use Permit for Cinderlite required for Cinderlite to continue to work with City staff, specifically the Open Space Manager, to provide additional mitigation measures as requested in a memorandum dated July 21, 2004. The memorandum from the Parks and Recreation Department, signed by Juan Guzman and dated July 21, 2004, requested that the Planning Commission consider imposing a condition of approval on Cinderlite calling for accepting their offer to make accessible to public access and for public enjoyment 40 acres of land owned by Cinderlite and located north of the present pit area. The land is referred to as APN 008-011-08.

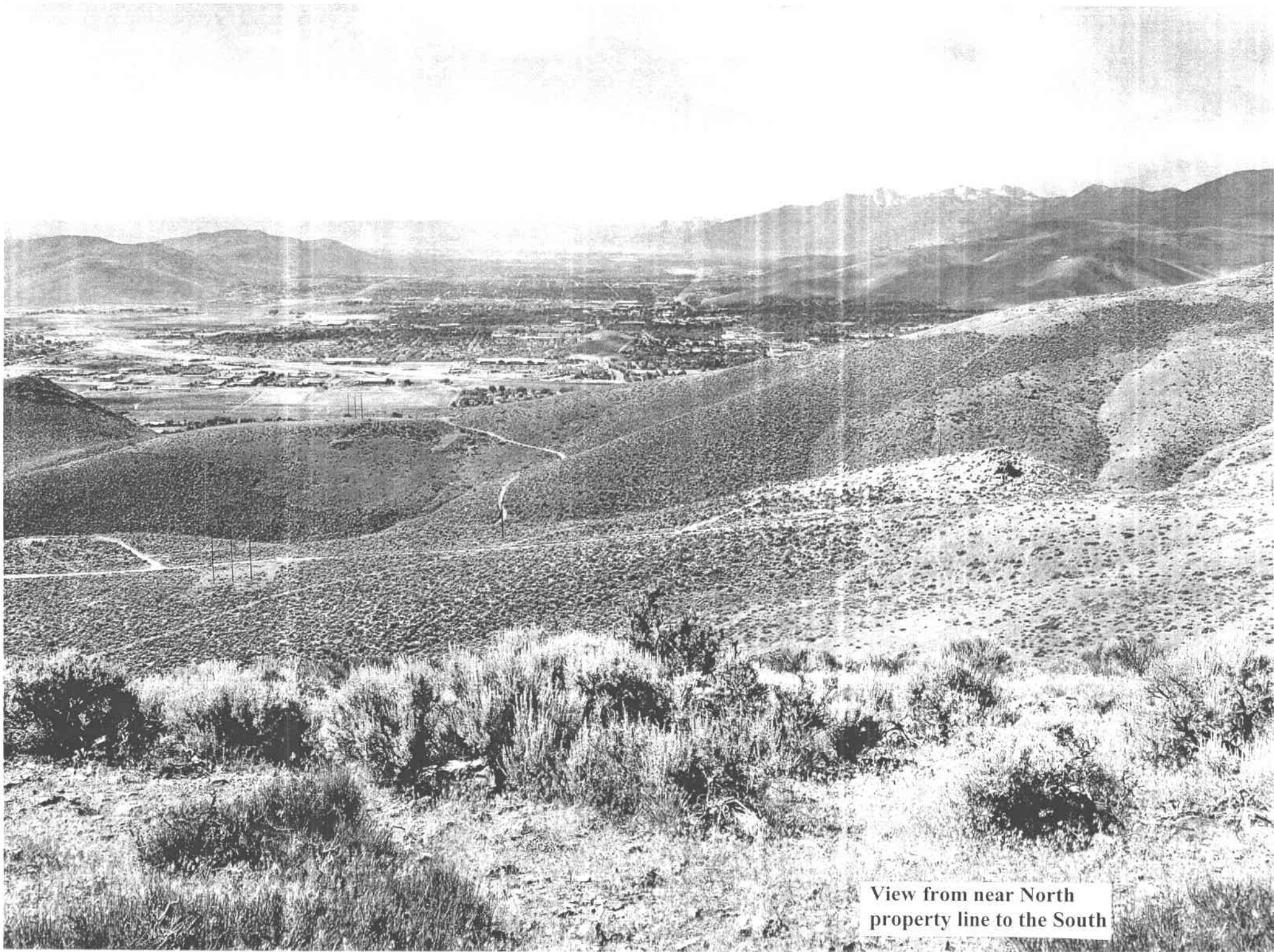
Carson City and Cinderlite have executed an agreement providing for the land to be available for public use and that there will not be any development or sale of the parcel for the same amount of time as the Special Use Permit, which is 50 years.

Staff finds Cinderlite in full compliance with Condition of Approval #25. An agreement has been executed with Cinderlite providing for the City's use of the land at no cost for passive recreation. Presently the land is devoid of any Cinderlite related improvements. It may be of interest for the Planning Commission to know that Carson City has listed the property as one of our areas for passive recreation on Carson City's website. At this time there are no signs or markers identifying the property.

Please see the attached photographs. One of the main attractions to the site is a rock outcropping immediately adjacent to the south on lands under the jurisdiction of BLM. Please do not hesitate to contact me with any questions you may have.

Attachments: Photographs of the property

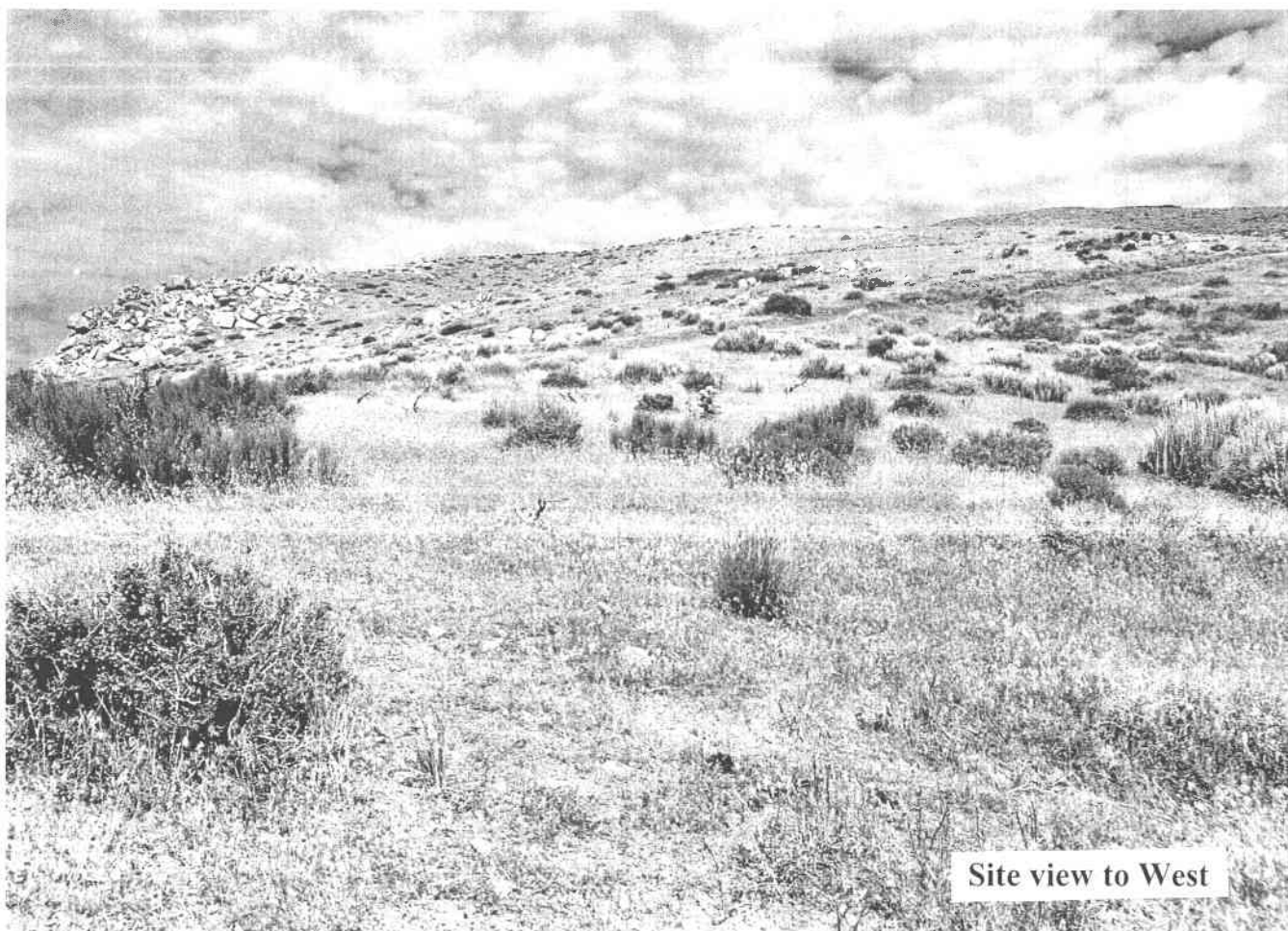
cc: Open Space Advisory Committee
Roger Moellendorf, Parks & Recreation Director



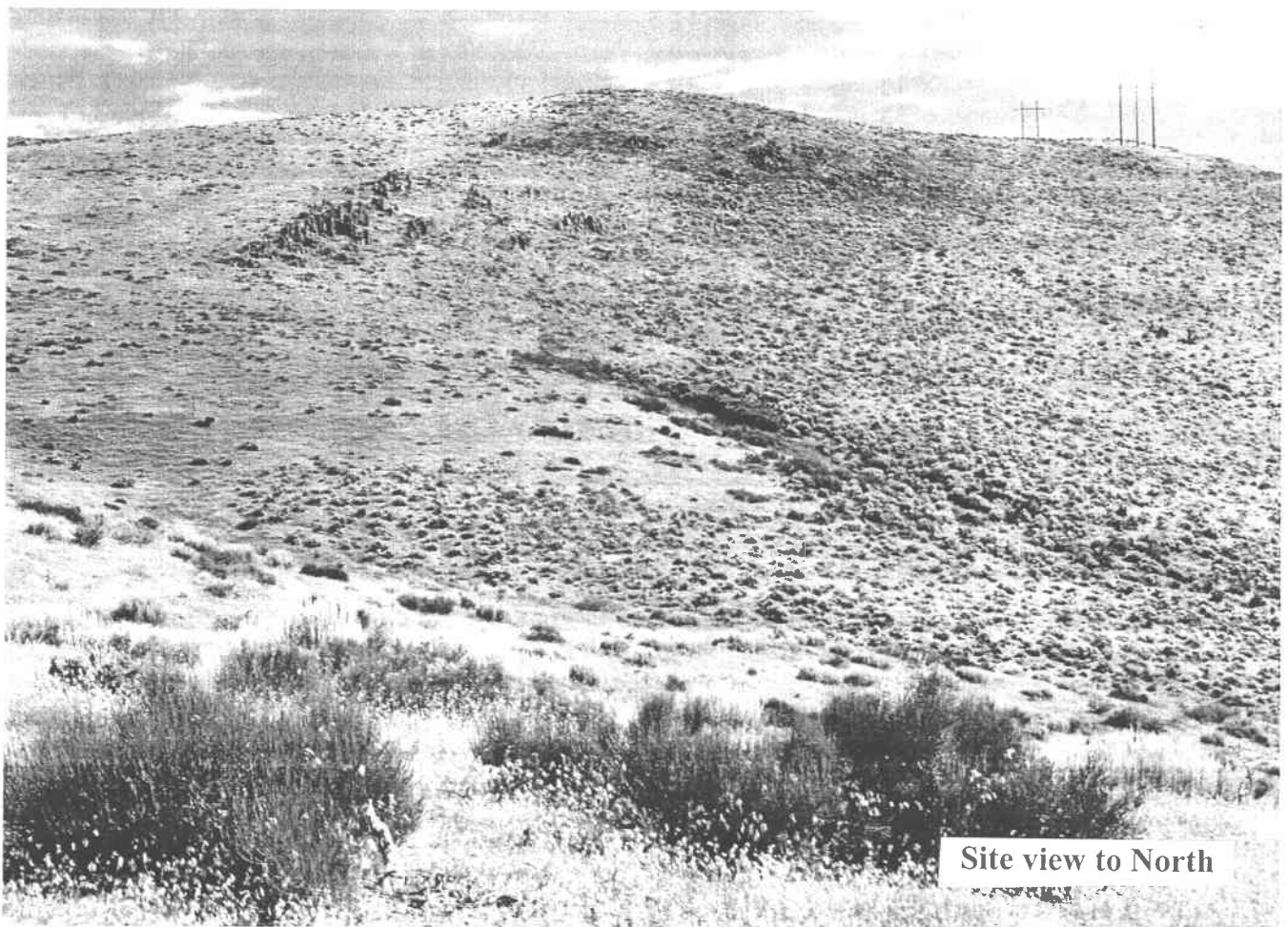
View from near North
property line to the South



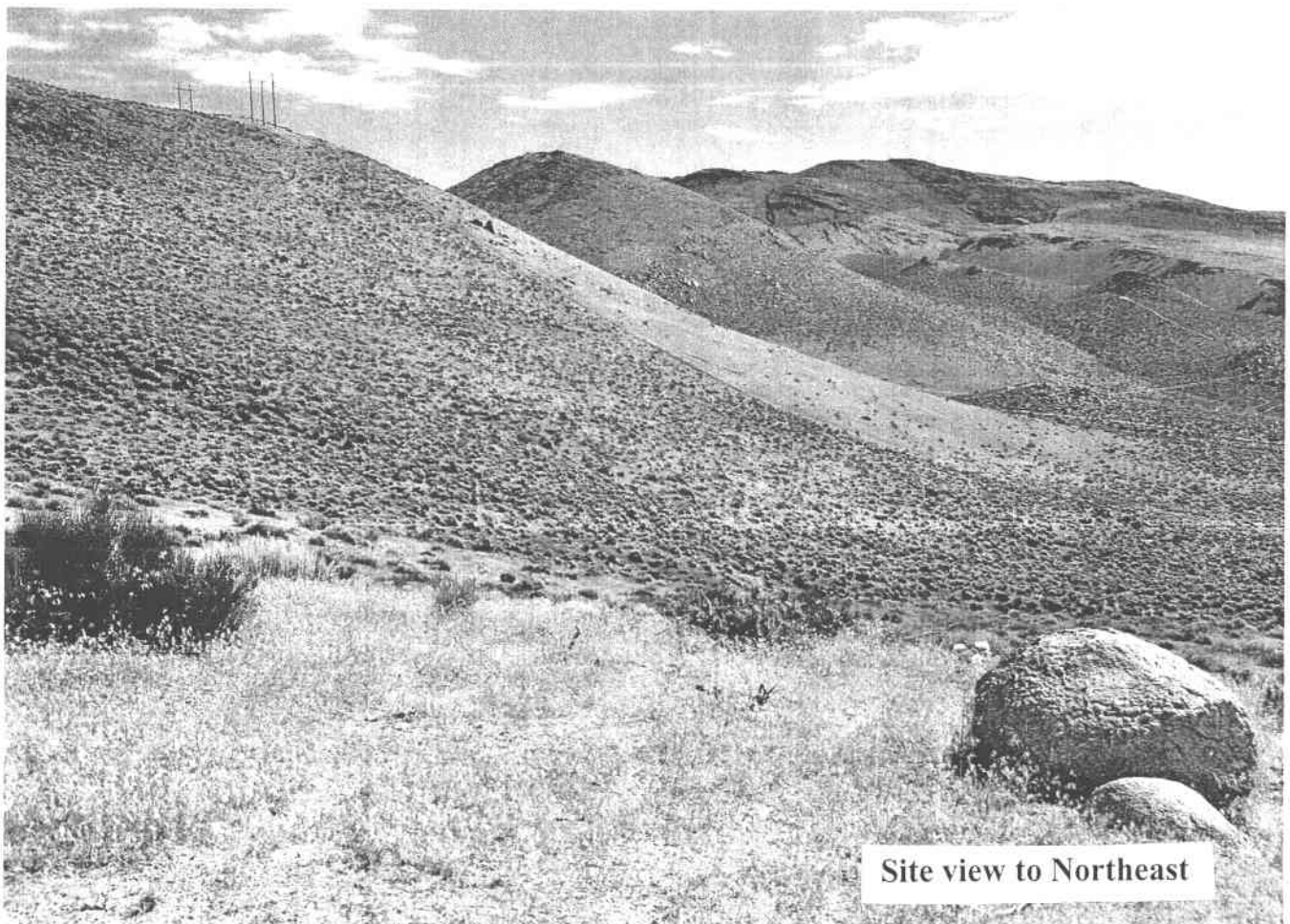
Site view to Northwest



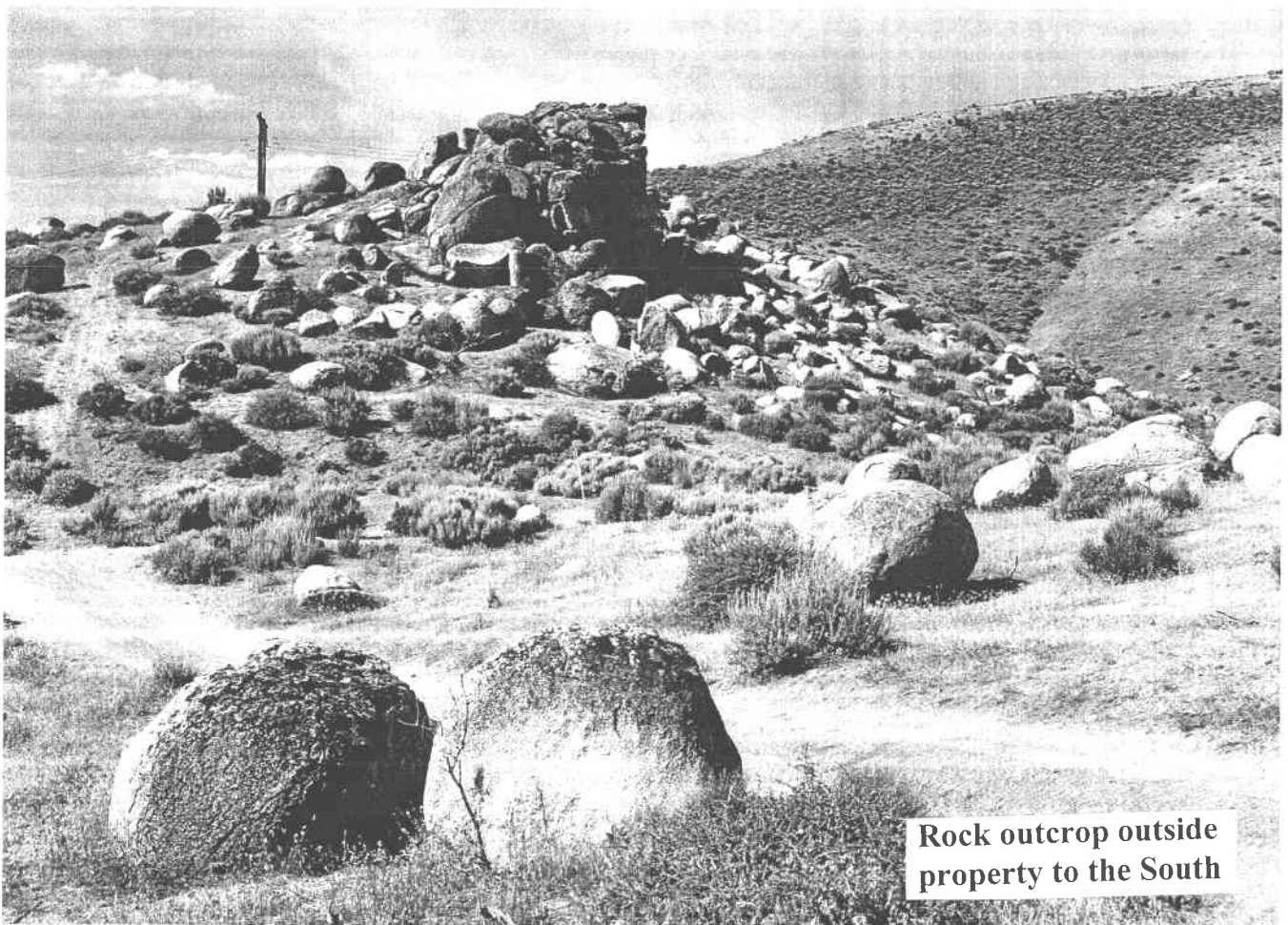
Site view to West



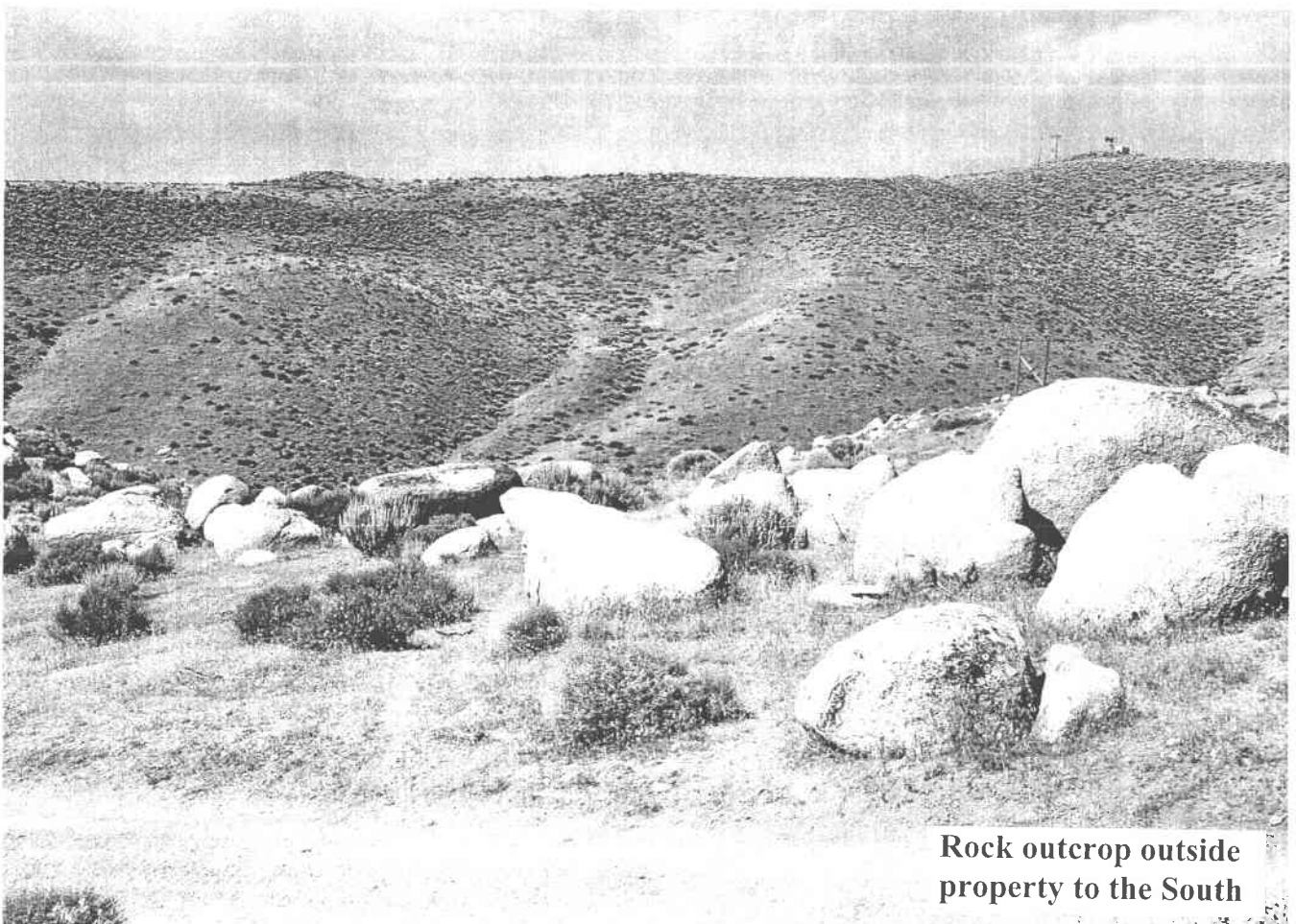
Site view to North



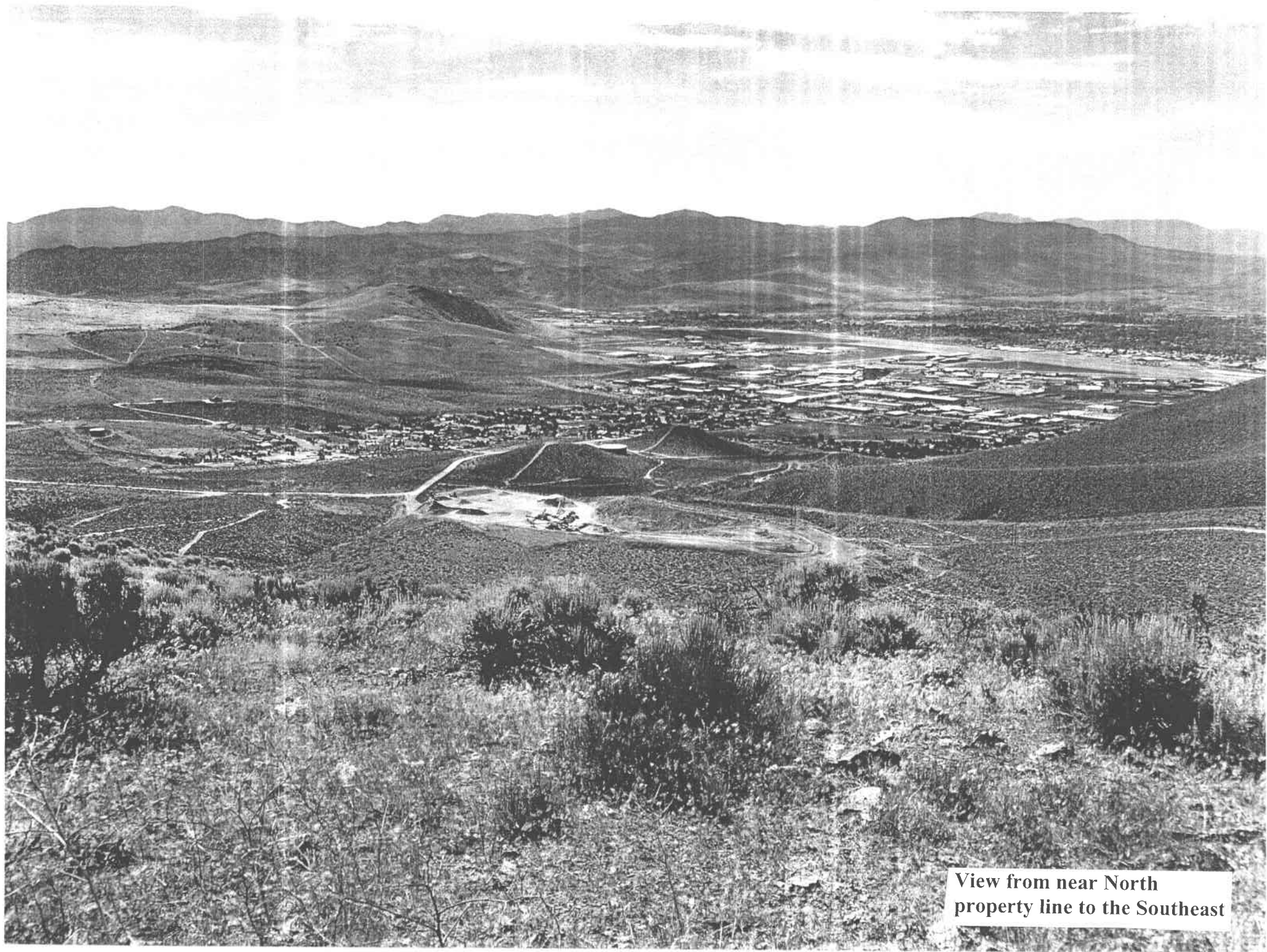
Site view to Northeast



**Rock outcrop outside
property to the South**



**Rock outcrop outside
property to the South**



View from near North
property line to the Southeast

From: "J.M. Ramirez" <jose2426@charter.net>
To: <planning@carson.org>
Date: 7/12/2010 9:30 AM
Subject: SUP-04-095

To: Carson City Planning Commission, file SUP-04-095.

Sirs,

At this time I have no problem with extending the special use permit to Cinderlite to continue its open pit operation as it currently exists.

Cinderlite has been very cooperative with the neighbors in its operation especially relating to truck traffic. The trucks appear to operate only during business hours and for the most part travel at or below the posted speed limit. Noise from the pit or trucks is minimal and very tolerable.

I would like to add that during the annual Goni Canyon clean up day Greg Lehman volunteered and provided at no cost, heavy equipment to pull an abandoned vehicle from the bottom of a wash.

Jose and Jeanne Ramirez

6164 Salk Road

Carson City, NV. 89706

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Email scanned by PC Tools - No viruses or spyware found.
(Email Guard: 7.0.0.18, Virus/Spyware Database: 6.15410)
<http://www.pctools.com/>

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NEVADA APPEAL

nevadaappeal.com

THE CAPITAL CITY'S DAILY NEWSPAPER

50 cents

City trades pit expansion for open space

Cinderlite leased 80 acres off of Goni Road from BLM, and began mining aggregate at the pit on the southern 40 acres in 1991. The pit has existed since the 1960s.

BY ROBYN MOORMEISTER
Appeal Staff Writer

In exchange for mining access on 23 acres of public land, Cinderlite Corp. will lend Carson City 40 acres of its untouched high-desert land for open-space use, allowing public access for

mountain biking, hiking and horseback riding. "It's a goodwill gesture for the good of the community," said Carson City Parks and Recreation Director Roger Moellendorf. "We should really celebrate a company that has that kind of foresight."

Greg Lehmen, vice president of the sand and

gravel trucking company, said he will sign an agreement with the city to hand over the Virginia Range land for 30 years, as part of its lease agreement with the Bureau of Land Management, and expand existing mining operations onto property designated conservation reserve lands.

"It's a temporary exchange to keep all parties satisfied, and it's really for the benefit of the city," Lehmen said.

Cinderlite leases 80 acres off of Goni Road from BLM, and began mining aggregate at the

Please see **CINDERLITE, BACK PAGE**

IT'S A DONE DEAL

- The Carson City Planning commission issued Cinderlite Corp. a special-use permit on July 28, subject to the condition it contribute to the city's quality of life.
- The permit allows the extraction of sand and gravel within 23 acres within the city owned by the Bureau of Land Management for 30 years.
- As part of the agreement, Cinderlite will provide public with open-space use of 40 acres of its land for 30 years.

Cinderlite

Continued from Page A1

pit on the southern 40 acres in 1991. The pit has existed since the 1960s.

The northern 40 acres of untouched land off of Goni Road will be temporarily granted to the city. It lies a half mile north of the Goni Estates subdivision, 2,400 feet from the existing pit.

It is covered in sagebrush, with several single-track trails and dirt roads throughout.

Carson City Open-Space Manager Juan Guzman said the land is ideal for mountain biking, hiking and horseback riding and has a view of the city and the Pine Nut Range.

"There is a designated four-wheel-drive road with nice

views of the west side of the city and drainage basin," Guzman said. "It's pretty neat, with beautiful hills and vistas."

The 23 acres of adjacent BLM land to which Cinderlite will expand was designated as open space in 1996 with the establishment of the BLM/Carson City Interface Plan.

The plan restricted mining for silver and gold, but allows for sand and granite mining in urban-interface areas.

On June 30, the Carson City Planning Commission approved a special-use permit allowing Cinderlite to mine on the 23 acres of interface land. But the Open Space Advisory Committee stepped in to recommend the permit be approved only if Cinderlite helped to improve the quality of life for city residents.

Since then, BLM staff, Cinderlite and city staff have worked to strike a deal: Cinderlite will lease the land from the BLM, and the city takes control of 40 acres of the untouched high desert.

The only cost to the city is maintenance of the dirt roads and trails, surrounding sagebrush and sporadic riparian areas.

Guzman said, as part of the deal, Carson City gets the right of first refusal if the land is ever for sale.

Lehman said a lease agreement with the BLM will be solidified within the next month.

Contact reporter Robyn Moormeister at rmoormeister@nevadaappeal.com or 881-1217.