

STAFF REPORT FOR PLANNING COMMISSION MEETING FEBRUARY 23, 2011

FILE NO: SUP-11-002

AGENDA ITEM: H-1

STAFF AUTHOR: Jennifer Pruitt, Principal Planner

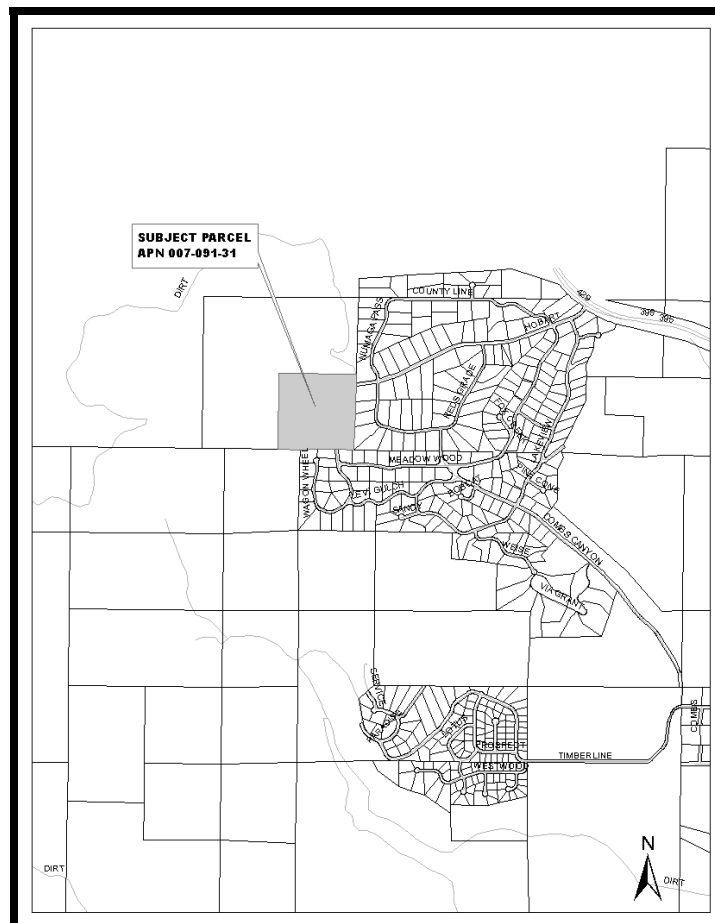
REQUEST: A Special Use Permit to allow for trailhead improvements to Lakeview Park which includes split-rail fencing, access gates, a gravel turn-around, boulders and other minor site amenities.

APPLICANT / OWNER: Parks and Recreation Department/Carson City

LOCATION: 5000 Hobart Road

APN: 007-091-31

RECOMMENDED MOTION: "I move to approve, SUP-11-002, a Special Use Permit application from the Parks and Recreation Department, to allow trailhead improvements for Lakeview Park which include split-rail fencing, access gates, a gravel turn-around, boulders and other minor site amenities at Lakeview Park, on property zoned Public Community, Assessor's Parcel Number 007-091-31 based on seven findings and subject to the recommended conditions of approval contained in the staff report."



RECOMMENDED CONDITIONS OF APPROVAL:

1. All development shall be substantially in accordance with the development plans approved with this application, except as otherwise modified by these conditions of approval. Minor modifications to the development plans may be approved by the Director.
2. All on- and off-site improvements shall conform to City standards and requirements.
3. The use for which this permit is approved shall commence within twelve months of the date of final approval. Obtaining a building or construction permit for the proposed construction shall constitute project commencement. A single, one-year extension of time may be granted if requested in writing to the Planning Division 30 days prior to the one year expiration date.
4. 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, the item will be rescheduled for the next Planning Commission meeting for further consideration.

The following conditions are required to be incorporated into the proposed development plan.

5. Proper drainage and temporary and permanent wind and water erosion control measures must be addressed on this project.

The following shall be submitted with any associated permit application:

6. The applicant shall submit a copy of the signed Notice of Decision and conditions of approval with any associated permit application.

The following are general requirements applicable throughout the construction phase of the:

7. The applicant must provide full compliance with State of Nevada dust control measures to mitigate dust at all hours during the construction period.
8. Hours of construction are limited to 7:00 am to 7:00 pm, Monday through Saturday.
9. The Public Works Department will take the necessary steps to install the turn-around area while removing minimal existing mature trees.
10. The applicant will re-vegetate any disturbed areas with a dry-land seed mix.

The following are general requirements applicable throughout the life of the project:

11. The regulatory signage should include trail etiquette, parking regulations, trash pickup, animal waste clean up, warnings about potential safety hazards, and which uses are permitted in the area.
12. The trailhead will be operated by the City as an open dawn to dusk facility.

13. This project shall meet all Fire codes and ordinances. The 20 foot roadway requirement will stop at the end of Hobart Road. From the existing gated entrance into the park, the minimum width of the road shall be 12 feet. The radius of the proposed project is sufficient as planned.
14. The Fire Department requires that a fuels management plan must be maintained for this area.

LEGAL REQUIREMENTS: CCMC 18.02.050 (Review); 18.02.080 (Special Use Permits)

MASTER PLAN DESIGNATION: Parks and Recreation

ZONING DISTRICT: Public Community

Will the proposed Lakeview Park improvements cause material damage to surrounding properties?

SURROUNDING ZONING AND LAND USE INFORMATION

NORTH: Conservation Reserve; United States Forest Service (USFS)
SOUTH: Single Family-One Acre, Conservation Reserve-USFS Property and Lakeview Woods, Unit No.1
EAST: Single Family-Two Acre- Lakeview Subdivision
WEST: Conservation Reserve; United States Forest Service (USFS)

RECENT PROJECT HISTORY

November 03, 2009, City staff made its first request to the Parks and Recreation Commission that the Parks and Recreation Department and Public Works Department jointly pursue the development of a conceptual plan for the Lakeview Park.

October 05, 2010, the conceptual plan was presented to the Parks and Recreation Commission. No action was taken at that time due to the loss of a quorum during the meeting.

December 07, 2010, the conceptual plan was presented to the Parks and Recreation Commission. The action taken by the Parks and Recreations Commission included a recommendation to the Planning Commission to approve the subject conceptual plan with minor alterations.

ENVIRONMENTAL INFORMATION

- FLOOD ZONE: Zone X
- SLOPE/DRAINAGE: The site has topographic changes.
- SEISMIC ZONE: Zone III, IV and V

SITE DEVELOPMENT INFORMATION

- | | | |
|----|-----------------------|--|
| 1. | PARCEL AREA: | 40 Acres |
| 2. | LAND USE: | Public Park |
| 3. | PROPOSED STRUCTURES – | Informational kiosk |
| 4. | EXISTING PARKING: | 11 parking spaces (within City right-of-way) |
| | PROPOSED PARKING: | 11 parking spaces (four parallel Horse Trailer Parking Only and seven parallel car parking only (within City right-of-way) |
| 5. | VARIANCES REQUESTED: | None |

DISCUSSION:

A Special Use Permit is required by CCMC Section 18.04.180, which states that:

The Conditional Uses in the Public Community District which require a Special Use Permit are: Buildings and facilities owned, leased or operated by the City of Carson City, Carson City Unified School District or any other district, state of Nevada or the government of the United States.

All public district development standards relative to lot area, setbacks, building height, landscaping, off-street parking and signs shall be based on requirements and conditions of the Special Use Permit.

The subject site is the Lakeview Park, which contains 40 acres of land. Lakeview Park is a currently undeveloped 40-acre area located at the west end of Hobart Road adjacent to the Lakeview Subdivision, which blends seamlessly into Forest Service land. Limited parking is available. The trailhead provides non-motorized access (pedestrian, bicycle, and equestrian) to the back county area of the Lake Tahoe-Nevada State Park. The Parks and Recreation Department is requesting to allow trailhead improvements to Lakeview Park which includes split-rail fencing, access gates, a gravel turn-around, boulders and other minor site amenities only.

On November 3, 2009, City staff made its first request to the Parks and Recreation Commission who moved to recommend to the Board of Supervisors that the Parks and Recreation Department and Public Works Department jointly pursue the development of a conceptual site plan for Lakeview Park. Subsequently, City Manager Larry Werner directed the Public Works Department and Parks staff to work with various equestrian groups and several adjacent property owners to attempt to resolve the existing parking area conflicts, clarify intended park uses, and address critical site planning issues.

During 2010, City staff held two on-site meetings with various equestrian groups and adjacent property owners to understand neighborhood concerns and seek design alternatives to the unsafe parking situation at the park's entrance. City staff, adjacent property owners, and equestrian user groups recognized that the current parking situation is unsafe and inconveniences the neighborhood. Also, the neighbors had concerns with public access and the character and capacity of the proposed park development. Around late spring of 2010, the Public Works Department delayed for the foreseeable future using Lakeview Park as a possible location for a water treatment facility and small hydroelectric plant. With this change, the Parks and Recreation Department chose to continue only with the development of a conceptual trailhead design for Lakeview Park.

During the design process of the conceptual trailhead plan, the Parks and Recreation Department took into consideration the historical and existing equestrian, hiking, and mountain biking uses on the park property. In addition, it was observed that users parked their vehicles and horse trailers on the shoulders of Hobart Road and on private property just north of the park's entrance to unload horses. Also, Lakeview Park provides an important and vitally needed public access point into the Humbolt-Toiyabe National Forest, Lake Tahoe Nevada State Park, Hobart Reservoir, Tahoe Rim Trail, and primitive routes into Ash Canyon and Washoe County.

The proposed site improvements will facilitate the use of the park by **existing** park users which include, but are not limited to pedestrian, bicycle, and equestrian users. In addition, the proposed site improvements will eliminate the need for trucks and trailers to back out of Hobart Road and keep cars, trucks with trailers and pedestrian traffic off of private property.

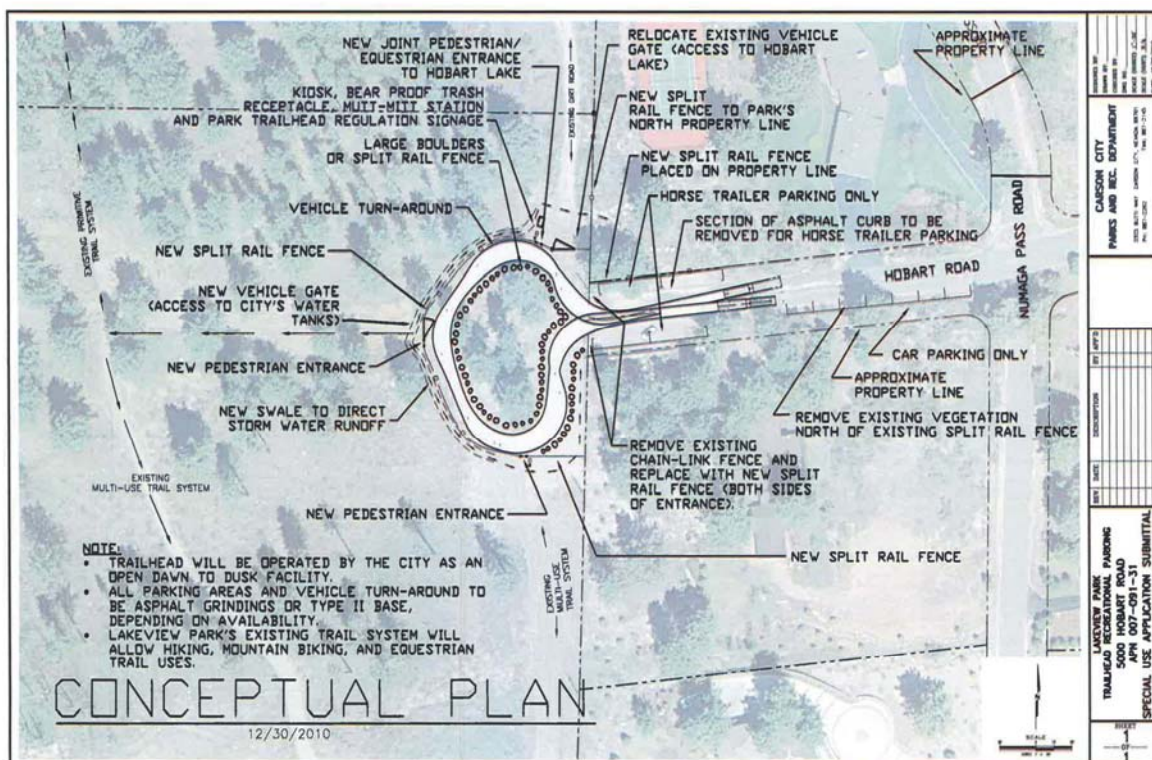


Exhibit A

Residential Neighbors' Concerns:

As of the writing of this staff report, two letters have been submitted expressing concerns regarding the proposed development. Generally, these concerns are regarding horses

permitted in the natural park, parking ordinance interpretations, Covenants, Conditions and Restrictions, and other general concerns.

As noted in this application, the Parks and Recreation Department has confirmed that the questioned equestrian use has been permitted historically in the Lakeview Park. The proposed project is not seeking to eliminate or reduce the current equestrian use, mountain bike use or pedestrian use on site.

The Planning Director, Lee Plemel, has addressed the concerns of parking ordinances and CC & R's and provided, in writing, staff's interpretation to the Carson City District Attorney's office (see attached letter at the end of this staff report). The following are the comments received by from the District Attorney's office noted that the Planning Division's interpretation of the above noted items.

With regard to your [the Planning Division's] consistent application of the CCMC to "commercial vehicles" and "horse trailers" and the likewise application of what is relevant to on-street and off-street parking, the law is clear: City of Las Vegas Downtown Redevelopment Agency v. Crockett, 34 P.3d 553, 563 (Nev. 2001) ('The construction placed on a statute by the agency charged with the duty of administering it is entitled to deference.'" "The persuasive force of such an interpretation is strengthened when the legislature, by its failure to amend a statute, 'silently acquiesces' in the administrative interpretation.")

[The DA's office also determined] Therefore, as long as the CCMC is applied consistently and without discrimination (equal protection), your interpretation of the meaning of the words will survive any judicial review so long as they are not inconsistent with the NRS.

With regard to CC&R's. [The DA's office agreed that] They are private contractual rights and the City is not a party to the agreement. The City does not enforce private CC&Rs. Zoning is a "police power" of the City and valid discretion within the SUP process is likewise part of zoning police power. In that regard, those powers cannot be contracted away by development agreement or CC&R (even if the City was a party to the agreement, which it is not). "Reservation of the police power is implicit in all government contracts and private parties take their rights subject to that reservation. [citations]. (108 Holding, Ltd v City of Rohnert Park (2006) 136 Cal.App.4th 186, 196....Thus, courts 'will not read into the contract an abrogation of the potential future exercise of sovereign police power...The police power being in its nature a continuous one, must ever [never] be reposed somewhere, and cannot be barred or suspended by contract or irrepealable law. In cannot be bartered away even by express contract...It is to be presumed that parties contract in contemplation of the inherent right of the state to exercise unhampered the police power that the sovereign always reserves to itself for the protection of peace, safety, health and morals." Richeson v. Helal, 158 Cal. App. 4th 268 (2007): see also In re: Union Golf of Florida, 242 B.R. 51 (1998) (where the city of Sarasota, Florida was not a creditor of the debtor, was not a party to the debtor's approved reorganization plan, and its exercise of police powers in altering zoning that materially adversely affected the plan was not a violation of the federal Bankruptcy Act.)

In reviewing the information provided by the applicant and the required findings as identified below, the findings to grant approval of this Special Use Permit can be made. Therefore, it is recommended that the Planning Commission approve this Special Use Permit application, SUP-11-002, subject to the recommended conditions of approval.

PUBLIC COMMENTS: Public notices were mailed on February 04, 2011, notices were sent to 30 adjacent property owners within 525 feet of the subject site pursuant to the provisions of NRS and CCMC, there have been two letters from Lakeview residents, see attached. Any comments that are received after this report is complete 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 following comments were received from various city departments. Recommendations have been incorporated into the recommended conditions of approval, where applicable.

Building Division comments:

- No comments.

Engineering Division comments:

- The Engineering Division has no preference or objection to the special use request.

Health Department comments:

- Carson City Health and Human Services has no comments regarding the project as described in the packet received. The applicant must meet all applicable codes and ordinances as they apply to this request.

Fire Department comments:

- This project shall meet all Fire codes and ordinances. The 20 foot roadway requirement will stop at the end of Hobart Road. From the existing gated entrance into the park, the minimum width of the road shall be 12 feet. The radius of the proposed project is sufficient as planned. The fuels management plan shall be maintained for this area.

FINDINGS: Staff recommends approval of the Special Use Permit based the findings below, pursuant to CCMC 18.02.080 (Special Use Permits), subject to the recommended conditions of approval, and further substantiated by the applicant's written justification.

As herein described, the proposed project is consistent with the following applicable goals and policies (in *italics*) of the Master Plan in accordance with the seven findings (in **bold**) required for approval of a Special Use Permit:

1. The use will be consistent with the objectives of the Master Plan elements.

The Unified Pathways Master Plan provides an evaluation of the existing pathways and pathway needs in Carson City. The plan incorporates additions and improvements to the City's existing pathway systems for transportation purposes as well as recreation. It also offers solutions to reducing conflicts and safety concerns.

As noted by the applicant, the development of Lakeview Park is identified in both the Parks and Recreation Master Plan (PRMP) and the Unified Pathways Master Plan (UPMP). The PRMP states, "Develop Lakeview Park to include natural amenities." The UPMP map identifies Lakeview Park with a trailhead with trailer parking for equestrian use. The UPMP in Chapter 9.2.3 Trailheads, notes, parking at these trailheads consists of a small parking lot that is large enough to accommodate the parking and maneuvering of horse trailers." In this case, no on-site parking has been included at the request of the Lakeview residents. Elsewhere in the section, the UPMP lists site amenities that should be installed at the facility. The proposed plan is providing an informational kiosk, rules and regulations signage, bear-proof trash receptacles, dog waste (Mutt-Mitt) disposal stations, split rail fencing, traffic control boulders, and various types of access gates. The applicant has indicated that as a result of requests from the adjacent neighbors and Lakeview residents, the Parks and Recreation Department did not include shade structures with benches, lighting, restrooms or picnic tables.

Chapter 3: A Balanced Land Use Pattern

Establishing a balance of land uses within the community promotes vitality and long-term economic stability. A balanced community is able to provide employment opportunities for its residents as well as a diverse choice of housing, recreational opportunities, and retail services. Carson City strives to maintain its strong employment base and extensive network of public lands while increasing housing options and the availability of retail services to serve residents of the City and surrounding growth areas.

Chapter 4: Equitable Distribution of Recreational Opportunities

Carson City residents are fortunate to have access to an extensive network of open lands both within and surrounding the community, as well as a range of more formal community and neighborhood parks and sports facilities. The City has developed an extensive park system (765 acres) and, with many partners, offers an extensive array of recreational programs. In addition, the City provides many recreation facilities (baseball/softball fields, soccer/football fields, tennis courts, playgrounds, picnic pavilions, etc.), as well as a community theater, aquatic facility with a 50 meter pool, a fairgrounds, and a number of natural parks and recreational pathways. In 1996 Carson City residents approved Ballot Question 18 – The Quality of Life Initiative, creating a supplemental sales tax revenue source (1/4 of a cent) for parks, open space, pathways and associated maintenance. This source has allowed development of many new facilities.

Chapter 5: Economic Vitality

Carson City derives its overall health and economic success from its ability to maintain a strong and diverse base of jobs, to provide a supply of varied housing choices for its employees, to provide a range of services and recreational opportunities for residents and visitors, and to generate tourism through the promotion of its unique characteristics and historic amenities. Furthermore, the City recognizes the revitalization of the Downtown as an important component of the community's long-term health and vitality. The Master Plan promotes the continued enhancement of the Downtown and surrounding residential neighborhoods as the focus of the community.

Chapter 7: A Connected City

A connected city allows residents to travel within the community, and to other centers within the region, in a variety of ways using a safe, efficient, multi-modal transportation system. Carson City will promote a sense of community by linking its many neighborhoods,

employment areas, activity centers, parks, recreational amenities, and schools with an extensive system of interconnected roadways, multi-use pathways, bicycle facilities, and sidewalks. Additionally, the City will seek opportunities to expand existing transit services as feasible to increase travel choices for the community and to support a more compact pattern of growth.

- 2. The proposed use will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood; and will cause no noise, vibrations, fumes, odors, dust, glare or physical activity.**

As noted by the applicant, Lakeview Park is owned by Carson City and has been undeveloped for many years. The park has no facilities in place for recreational users. Carson City does not provide on-going maintenance services for the fact that there are no existing facilities. After the Water Fall Fire in 2004, the Parks and Recreation Department began a reforestation effort to plant evergreen seedlings to establish new trees. The project as presented will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood.

While there will be additional physical activity during the time of construction of the site improvements, once the construction is completed, it is expected there will be no permanent impacts to the surrounding properties. It is anticipated that the existing users will continue to utilize the park facilities as they have done in the historic past.

During project construction, site disturbances will be kept to a minimum and the applicant will re-vegetate any disturbed areas with a dry-land seed mix.

The applicant must provide full compliance with State of Nevada dust control measures to mitigate dust at all hours during the construction period.

The trailhead will be operated by the City as an open dawn to dusk facility.

The regulatory signage should include trail etiquette, parking regulations, trash pickup, animal waste clean up, warnings about potential safety hazards, and which uses are permitted in the area.

- 3. The project will have little or no detrimental effect on vehicular or pedestrian traffic.**

Per the Engineering Division, the proposal will have little effect on traffic or pedestrian facilities.

The amount of parking offered at these trailheads is dependent on trail usage and space availability. Parking may consist of on-street parking or a small parking lot. Trailheads with equestrian trailer parking are proposed in areas where there are a number of equestrian trails. Parking at these trailheads consists of a small parking lot that is large enough to accommodate the parking and maneuvering of horse trailers. As noted previously, no on-site parking has been incorporated into this plan, at the request of the Lakeview residents.

The site is currently being utilized as a trailhead for hikers, bicyclists and equestrians. Increases in traffic are expected to be minimal. Additionally, the parking improvements are designed to eliminate vehicle parking on neighboring properties by containing parking within the public right-of-way. The turn around area will eliminate the need for vehicles with trailers to

back up along Hobart Road and turn around at Numaga Pass Road. By eliminating the need for vehicles to back up along Hobart Road, the potential for accidents is reduced.

- 4. The project will not overburden existing public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage and other public improvements.**

The project will not connect to the municipal water system; therefore no impact to the municipal water system is anticipated.

The project will not connect to the municipal sewer system; therefore no impact to the municipal sewer system is anticipated.

No increase in impervious area is proposed as a part of this project, therefore the quantity of runoff leaving the site is not expected to change.

- 5. The project meets the definition and specific standards set forth elsewhere in this Title 18 for such particular use and meets the purpose statement of that district.**

The proposed development meets the purpose of the Public Community zoning district, which is for "buildings and facilities owned, leased, or operated by Carson City, Carson City School District or any other district, State of Nevada or the government of the United States" and certain civic and utility uses. Upon approval of the Special Use Permit with the recommended conditions of approval, the proposed park improvements will be in conformance with the requirements of the Carson City Municipal Code and related Development Standards, will provide for safety and welfare needs of Carson City citizens, and will be compatible with surrounding land uses.

- 6. The project will not be detrimental to the public health, safety, convenience and welfare.**

The proposed improvements should make the parking area safer and provide a more organized layout for vehicles, including equestrian users. It is important to note that the proposed site improvements will also facilitate the use of the park by existing park users which include, but are not limited to pedestrian, bicycle, and equestrian users. In addition, the proposed site improvements will eliminate the need for trucks and trailers to back out of Hobart Road and keep cars, trucks with trailers and pedestrian traffic off of private property.

- 7. The project will not result in material damage or prejudice to other property in the vicinity.**

Noticing was sent out to 30 adjacent property owners within 525 feet of the subject site. Staff has not heard any evidence or concerns that indicate that material damage or prejudice to other property in the vicinity will result from the minor park improvements proposed. Additional conditions of approval have been provided to ensure that the proposed project will not result in material damage to other properties within the vicinity.

Respectfully submitted,

PUBLIC WORKS, PLANNING DIVISION

Jennifer Pruitt

Jennifer Pruitt, AICP, LEED AP
Principal Planner

Attachments:

- Application (SUP-11-002)
- Planning Director's letter to DA's office
- Building Division comments
- Engineering Division comments
- Health Department
- Fire Department
- Kittess Letter
- Yanuck Letter



Carson City Planning Division

108 E. Proctor Street
Carson City, Nevada 89701
(775) 887-2180
planning@carson.org
www.carson.org/planning

MEMORANDUM

TO: Neil Rombardo, District Attorney

FROM: Lee Plemel, Planning Director

DATE: January 31, 2011

SUBJECT: Commercial Vehicle Definitions; CC&R's

The Planning Division has received a request from several Lakeview area residents for a "current" DA's opinion on two issues relating to a Special Use Permit application for a trailhead at the west end of Hobart Road in Lakeview, which is scheduled to go before the Planning Commission on February 23, 2011. The Parks and Recreation Department is proposing improvements at the west end of Hobart Road to include horse trailer parking and a turnaround. Horse trailers currently park on Hobart Road and equestrians access the trails through the City's property. The issues raised are regarding the parking of "commercial" vehicles in a residential neighborhood and the enforcement of private CC&R's by the City.

Since I know your office is short-staffed and may not be able to take time to address this before the Planning Commission staff report is completed, I am providing in this memo the Planning Division's interpretations of the applicable ordinances for your review. If you feel our interpretations are in error in any way, you may advise us as you deem appropriate or provide a formal opinion.

ISSUE 1:

Several residents have questioned the legality of parking horse trailers and associated trucks in residential areas. The following Carson City Municipal Code sections are referenced by residents, with Planning Division comments on their applicability to the situation following. The specific subsections noted by residents are in Title 18 Appendix, Development Standards, Division 2, Parking and Loading.

Division 2.3.8 – Open parking of vehicles accessory to a residential use shall be limited to those actually used by the residents or for temporary parking of guests.

Planning Division reply: Unless otherwise noted in Division 2, the standards apply to off-street parking requirements, i.e. parking on residential parcels, not on the street. This specific subsection clearly notes that it pertains to parking "accessory to a residential use." Parking within the right-of-way is generally regulated by Title 10 of the Carson City Municipal Code, Vehicles and Traffic. Nowhere in Carson City is it prohibited to park on a street if the driver is not specifically visiting someone that lives there. It has also been stated that property owners have the right to the street parking in front of their house. This is an inaccurate statement, as the

public right-of-way is open for parking and travel to anyone subject to applicable laws, not just to the adjacent residents and their guests.

Division 2.3.9 – No truck, commercial trailer or vehicular equipment of a commercial nature shall be parked in any district where prohibited.

Planning Division reply: This section specifically refers to trucks, commercial trailers and vehicular equipment “of a commercial or industrial nature.” No specific definition is provided in Title 18 for vehicles of a “commercial or industrial nature,” so the common definition is used. Such vehicles are prohibited within residential areas (except as exempted in Division 2.3[9]).

However, Carson City has never considered horse trailers as “commercial” in nature, especially for the transportation of personal horses. Such an interpretation would mean that no resident in Carson City could keep a horse trailer at their residence. This is clearly not the case, as we have several neighborhoods that permit horse-keeping and horse trailers are common. While some residents’ personal opinions are that horse trailers are commercial vehicles, the Carson City Municipal Code does not make such an interpretation and horse trailers are permitted in residential neighborhoods.

As an additional note, absent a zoning definition that specifically classifies horse trailers, City Planning and Code Enforcement staff has consistently regulated horse trailers the same as other personal, non-commercial trailers such as boat trailers and other recreational equipment trailers.

Division 2.3[9]e – Temporary parking of vehicles of a commercial or industrial nature is allowed - When actually and expeditiously engaged in the loading or unloading of merchandise or when such vehicle is being used in conjunction with the performance of service, repair, construction or similar essential use within the immediate neighborhood.

Planning Division reply: This is not applicable to horse trailers because they are not commercial vehicles, as noted in the discussion above.

Division 2.3.10 – Parking of trailers or vehicles larger than a panel van or pickup truck within a public right-of-way shall not be permitted except as exempted in 2.3.9.

Planning Division reply: Planning Division staff has interpreted this section in conjunction with Division 2.3.9. Division 2.3.9 applies to off-street parking; i.e. parking on private properties outside of the right-of-way; Division 2.3.10 then specifically applies to parking within the right-of-way. We believe it is the intent of the code to prohibit the parking of vehicles of a commercial or industrial nature in areas where they are not permitted, not trailers altogether. Trailers have been permitted to be parked on public rights-of-way throughout the City, including residential neighborhoods, subject to time limitations per Title 10. This includes horse trailers on Hobart Road for as long as horses have been accessing the trails at that location.

ISSUE 2:

There are also questions regarding the legality of the City allowing horses on City streets in a residential neighborhood where the zoning (Single Family Two Acre) permits horses but the local CC&R’s prohibit horses. The following code section was cited:

CCMC 18.02.025(1) – When this Title imposes a greater restriction upon the use of land, or upon height, bulk, location or use of buildings than is required by existing provisions of law or by private covenant or other restriction, the provisions of this Title shall prevail. Private covenants or deed restrictions which impose more restrictive conditions than herein contained are not superseded by this Title.

Planning Division reply: The code says that any regulation imposed by the City does not supersede private CC&R's, which may be more restrictive. In this particular case, the private CC&R's are more restrictive than the City code; i.e. the CC&R's prohibit horses while the City Code allows them (within the SF1A and SF2A zoning districts). The fact that the City allows horses in no way supersedes any CC&R's to which the private properties in Lakeview may be subject. Lakeview residents may continue to have a prohibition against horses on their private properties to which the CC&R's apply, and the proposed action by the City will not change that in any way. Therefore, there is no conflict with this code section in allowing equestrians to access the trails via City streets or through the City property.

Furthermore, for final clarification on this issue, it is the Planning Division's understanding that the City does not and cannot enforce private CC&R's to which it is not a party. For example, the City does not enforce the prohibition of horses on properties in Lakeview because horses are permitted by City zoning. The Planning Division has no reason to believe the City's legal opinion has changed on this issue.

Please contact me if you need any additional information on any aspect of this memo or the proposed project in question.

File # (Ex: MPR #07-111)	<i>SUP-11-002</i>
Brief Description	<i>Trail Head Recreational Parking</i>
Project Address or APN	<i>007-091-31</i>
Bldg Div Plans Examiner	<i>Kevin Gattis</i>
Review Date	<i>2-23-2011</i>
Total Spent on Review	

BUILDING DIVISION COMMENTS: No comments

**Engineering Division
Planning Commission Report
File Number SUP 11-002**

TO: Planning Commission

FROM Jeff Sharp, P.E. – City Engineer

DATE: January 18, 2011

MEETING DATE: February 23, 2011

SUBJECT TITLE:

Action to consider an application for a Special Use Permit from Carson City Parks and Recreation Department to allow a turn around road and miscellaneous improvements to be constructed at the Lakeview Park on property zoned PC located at 5000 Hobart Rd., APN 07-091-31.

RECOMMENDATION:

The Engineering Division has no preference or objection to the special use request.

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. Proper drainage and temporary and permanent wind and water erosion control must be addressed on this project.

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

Existing facilities are not impacted.

From: Teresa Hayes
To: MPR Committee
Date: 1/19/2011 10:30 AM
Subject: Planning Commission Feb 23, 2011

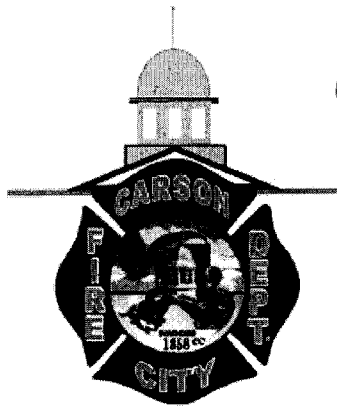
Carson City Health and Human Services has no comments regarding the project as described in the packet received. The applicant must meet all applicable codes and ordinances as they apply to this request. Et. Seq.

Teresa Hayes, R.E.H.S.
Environmental Health Specialist II
Carson City Health and Human Services
900 E. Long St
Carson City, NV 89706
Phone: (775) 887-2190 ext 7227
Fax: (775) 883-4701

e-mail: thayes@carson.org

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CARSON CITY FIRE DEPARTMENT

"Service with Pride, Commitment, Compassion"

MEMORANDUM

To: Kathe Green

From: Duane Lemons, Fire Inspector II

Re: SUP 11-002 5000 Hobart Rd.

The Carson City Fire Department supports this project. This project shall meet all codes and ordinances. To include an all weather surface for the road. The road must be a minimum of 20' in width. The radius for the cul-de-sac is 45' for fire department apparatus. The fuels management plan shall be maintained for this area.

Gilbert A. Yanuck
4100 Lakeview Road
Carson City, Nevada 89703

TEL: 775-841-3675
FAX: 775-841-6547
gilcalif@att.net

January 27, 2011

Ms. Jennifer Pruitt
Carson City Planning Department
108 East Proctor Street
Carson City, NV 89701

Re: Special Use Permit, Lakeview Park

Dear Ms. Pruitt:

For the record, I would like to submit the following comments for the Planning Commission to take into consideration as they weigh their decision on the Special Use Permit:

1. At the very first hearing of the Parks and Recreation Committee to discuss Lakeview Park I spoke about the fact that the number of parking spaces that are available makes the use of the trail head "self-limiting". After a year of meetings and a great number of hours spent by City personnel and property owners we find ourselves with the same exact number of parking spaces. Yes, we have a very nice turnaround that, if used properly, will eliminate the need for the trucks and trailers to back out of Hobart Road. We also have provided for means to keep cars and pedestrian traffic off the private property of one of the adjoin property owners.
2. It took a while but I feel that the property owners and the trail riders found a middle ground on the access and use of the trail head. I feel that the Parks and Recreation Department did what Park and Recreation personnel do best and that is plan bigger and better projects. This was accomplished.
3. I'm glad that we were able to agree to eliminate two of the three original access points and save the City and its taxpayers some money.

4. Why the instance on permitting access to the park by horses I still can't figure out. The trail riders did not ask for it and even indicated that they would not do that.
5. The current plans do not call for any specific signage letting the public know that they have discovered Lakeview Park. And while on this subject, I feel a more fitting name should be **Lakeview Trail Head** because when one thinks of the various "Parks" in Carson City, the proposed Lakeview Park does not resemble any of them.
6. I sincerely hope that the Special Use Permit has a provision that requires regular maintenance of the trail head and adjacent areas. I am concerned that the current economic pressures that the City is facing will cause maintenance of the trail head to be put at the bottom of the priority list.
7. Please do not overlook the issues raised by a number of individuals that testified at the at the most recent meeting of the Parks and Recreation Commission that call for a review of the various parking regulations as well as it may be time to obtain a current opinion by the City Attorney on the subject of CC&R's and their enforceability and impact on City ordinances.

Thank you for your consideration of these comments.

Sincerely,

Gil Yanuck

Jean's
copy

January 25, 2011

TO: Jennifer Pruitt

FR: Bruce Kittess

RE: Jan 13, 2011 SUP 11-002 Lakeview Trail Head,
APN 007-091-31

RECEIVED

JAN 25 2011

CARSON CITY
PLANNING DIVISION

Thank you for the opportunity to review the subject application. It is correct that a small group of volunteer Lakeview Property Owners have been meeting with P&R and the equestrian group. Within the group we have had varying opinions. No telling what anyone of the remaining 240 homeowners may say if anything.

I am writing this letter first in the hope that the SUP will clearly set forth the conditions of use for a long time. Secondly, I want to update my previous comments and correspondence and focus on the subject application.

1. Our small group did indeed agree with the proposed parking layout and the turnaround.
2. My remaining concern is the P&R position on permitting horses in the natural park. The issue surfaced only when the final plan showed two equestrian gates accessing the natural park. The equestrian group confirmed at the meeting they only wanted access to the Hobart/Marlette Rd (hereafter referred to as the "utility road") not the natural park. We are pleased these two gates were deleted following the Dec 7 meeting. The assumption by many is the limited parking will limit the equestrian use of the utility road. I believe this is true as long as the natural park is not used as an equestrian staging area. We understand and agree it is not practical to fence the hillside 40 acres. P&R could post a sign "horses permitted on utility road only". P&R says they cannot prevent horses in the natural park and we agree they will not and/or cannot enforce much of anything. They have regulation signs at other locations which they cannot enforce and we all understand, but at least they try.
3. I never questioned city ownership of the property; I only was trying to make the point on the intended use of the hillside 40 acres. Refer

to application Exhibit D from assessor's site, land use was omitted: Property owner - Park Dept. Property name - Tank Site. Land use - Intra county public utility.

The assessor is right on. The natural park is and has been from the start incidental to the property's primary use since acquisition - various water facilities.

4. Ormsby County acquired the hillside for \$100. The complete record, the facts in evidence, not just the grant deed, indicates it was acquired for a water treatment plant to facilitate the development of the first Lakeview Subdivision.

I believe the Carson City Planning Commissioners were not dummies when they approved the first subdivision. Had they intended use of the 40 acres for a typical park with typical facilities it would have been visible from Numaga Pass Rd and with the appropriate access. P&R is struggling to make the property something it was not originally designed for. If there were no truck/horse trailers there would be no need for a turnaround and there would adequate auto parking for all the other users.

5. Forty-four years later P&R has made no improvements to the property and no plan produced to date, was ever approved by neither BLM nor the USFS; all improvements have been made by public works and more public works facilities are in the foreseeable future. The turnaround will be the first P&R improvement and as stated above our volunteer group has agreed with.

6. Horse trailers were discussed in the application as if they were self propelled. The horse trailers are pulled by trucks. They are one unit. The turnaround has become a need because the horse trailers are getting larger. Larger horse trailers require more powerful trucks. Many of the more powerful trucks are diesels. Diesel engines have an annoying sound, particularly in early morning hours and late at night. Some horse trailers are pulled by commercial trucks; I believe that was the point being made at the hearing.

7. The application recites a number of parking ordinance interpretations. In your staff report I am requesting our current DA's opinion.

8. The application recites an interpretation of Carson City's position on CC&R's. For many years I believe the city has relied on a DA Charles Cockrell opinion letter written long ago. I would appreciate an opinion by our current DA.

9. Early on in the process, P&R asked us to comment on a draft plan. Chain link fencing has been used for many years to secure access to the utility road. Yes, split rail fencing is less secure, more attractive and requires more maintenance. If the City doesn't care about security then no need for us neighbors to worry.

10. I am not aware any neighbor has ever complained about walkers, hikers, mountain bikers using the 40 acre hillside or the utility road. If there are groups who support equestrian use and they don't mind walking or riding through the manure piles, good luck to them.

11. If the equestrians want to use the utility road at their own risk, good luck to them. Never mind more vehicle use by city and state trucks, private land owner vehicles and more construction vehicles. We have expressed our concerns and our conscience is clear.

12. I believe much of parking problem has been caused by lack of signage. The application is lacking signage detail and location of same. The signage would reveal the rules and regulations that will be incorporated into the SUP conditions of approval.

13. Refer to SUP 5, page 23 of 23. The author's name is missing.

Jennifer, thank you again. We would appreciate receiving a copy of the staff report prior to the scheduled February 23 PC meeting.

**Lakeview Park
Trail Head Recreational Parking
Conceptual Plan**

RECEIVED

JAN 13 2011

CARSON CITY
PLANNING DIVISION



Special Use Permit Application

Submitted by:
Carson City Parks and Recreation Department

January 13, 2011

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

FILE # SUP - 11 - SUP - 11 - 002

Legal Owner - Carson City
PROPERTY OWNER 89701
201 N. Carson Street, Carson City NV
MAILING ADDRESS, CITY, STATE, ZIP
(775) 887-2100 (775) 887-2286
PHONE # FAX #

Name of Person to Whom All Correspondence Should Be Sent

Vern L. Krahn, Park Planner

APPLICANT/AGENT
3303 Butti Way, #9, Carson City, NV 89701
MAILING ADDRESS, CITY, STATE ZIP
(775) 887-2262 (775) 887-2145
PHONE # FAX #

vkrahn@carson.org

E-MAIL ADDRESS

Project's Assessor Parcel Number(s):	Street Address	ZIP Code
APN 007-091-31	5000 Hobart Road, Carson City NV	89703

Project's Master Plan Designation	Project's Current Zoning	Nearest Major Cross Street(s)
Parks and Recreation	PC - Public Community	End of Hobart Road

Briefly describe your proposed project: (Use additional sheets or attachments if necessary). In addition to the brief description of your project and proposed use, provide additional page(s) to show a more detailed summary of your project and proposal. In accordance with Carson City Municipal Code (CCMC) Section: 18.04.180 or Development Standards, Division n/a, Section n/a, a request to allow as a conditional use is as follows:

The proposed trailhead improvements to Lakeview Park include split-rail fencing, access gates, gravel turn-around, boulders, and other minor site amenities.

PROPERTY OWNER'S AFFIDAVIT

I, Larry Werner, 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.

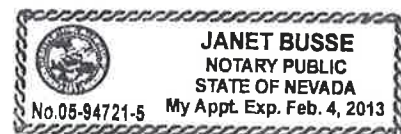
Signature [Signature] Address 201 N. Carson St., CC NV 89701 Date 1/5/11

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

STATE OF NEVADA
COUNTY Carson City

On January 5, 2011, Larry Werner, 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.

[Signature]
Notary Public



NOTE: If your project is located within the historic district, airport area, or downtown area, it may need to be scheduled before the Historic Resources Commission, the Airport Authority, and/or the Redevelopment Authority Citizens Committee prior to being scheduled for review by the Planning Commission. Planning personnel can help you make the above determination.

Lakeview Park / Conceptual Plan
Special Use Permit Application
Project History and Overview of Issues
January 13, 2011

On December 7, 2010, the Parks and Recreation Commission voted unanimously to recommend to the Planning Commission approval of the Lakeview Park Trailhead Recreational Parking, attached as Conceptual Plan (Exhibit A). This vote was the results of two previous Parks and Recreation Commission meetings and over one and a half years of collaborative planning with the adjacent neighbors, the equestrian community, and City staff.

Project Background:

Lakeview Park contains 40 acres. It is located in northwest Carson City and is adjacent to the Lakeview Subdivision on two sides (Exhibit B). On November 3, 2009, City staff made its first request to the Parks and Recreation Commission who moved to recommend to the Board of Supervisors that the Parks and Recreation Department and Public Works Department jointly pursue the development of a conceptual site plan for Lakeview Park. Subsequently, City Manager Larry Werner directed the Public Works Department and Parks staff to work with various equestrian groups and several adjacent property owners to attempt to resolve the existing parking area conflicts, clarify intended park uses, and address critical site planning issues.

During 2010, City staff held two on-site meetings with various equestrian groups and adjacent property owners to understand neighborhood concerns and seek design alternatives to the unsafe parking situation at the park's entrance. Both City staff, adjacent property owners, and equestrian user groups recognized that the current parking situation is unsafe and inconveniences the neighborhood. Also, the neighbors had concerns with public access and the character and capacity of the proposed park development. Around late spring of 2010, the Public Works Department delayed for the foreseeable future using Lakeview Park as a possible location for a water treatment facility and small hydroelectric plant. With this change, the Parks and Recreation Department chose to continue only with the development of a conceptual trailhead design for Lakeview Park.

During this design process, our department took into consideration the historical and existing equestrian, hiking, and mountain biking uses on the park property. In addition, it was observed that users parked their vehicles and horse trailers on the shoulders of Hobart Road and on private property just north of the park's entrance to unload horses. Also, Lakeview Park provides an important and vitally needed public access point into the Humboldt-Toiyabe National Forest, Lake Tahoe Nevada State Park, Hobart Reservoir, Tahoe Rim Trail, and primitive routes into Ash Canyon and Washoe County.

Again, on October 5, 2010, this agenda item was presented to the Parks and Recreation Commission. No action was taken at that time due to a loss of a quorum during the meeting. However, the plan was formally approved by the Parks and Recreation Commission at their December 7, 2010, meeting. This action also included a recommendation to the Planning Commission to approve the same plan (Exhibit C).

Project Issues:

Land Ownership: Mr. Bruce Kittess has raised questions during the planning process as to the ownership of the property and the property's original intended use. Our department would like to provide the Planning Commission with this brief history. In 1967, Carson City received Federal Patent No. 27-68-0065 for Lakeview Park (Exhibit B). This patent transferred in fee title the Lakeview Park parcel (40 acres) from the United States to Carson City subject to a reservation of mineral rights and easements (Exhibit D). Also, there are deed restrictions on the patent. This happened under the Bureau of Land Management's jurisdiction. Currently, the United States Forest Service (USFS) has jurisdiction over the property. Two of the most important deed restrictions on the property are that the land must be subject to a development plan (the proposed plan – Exhibit A) and a management plan (Exhibit E). The management plan, a single-page document incorporated by reference into the patent deed, states that "the land will be maintained open to use by the public for recreational purpose without discrimination of favor." Also, Mrs. Genny Wilson, Carson District Ranger with the USFS, was recently provided with a copy of the plan recommended by the Parks and Recreation Commission.

The land ownership concerns were reviewed in 2008 as part of Carson City's Federal Lands Bill. Naomi Johnson, USFS NV-UT Land Adjustment Team Leader, and Jenna Whithlock, working for the office of Senator Reid, determined after consultation with the Regional Office that the land belongs to Carson City and there has never been any action by the BLM or USFS to revoke the patent. In 2009, Ed DeCarlo, USFS Land Officer for the Carson Ranger District, once again determined that Carson City is the land owner of the 40 acres. In fact, this was confirmed by the Office of the General Counsel (Federal Attorney) in 2008.

Parks and Recreation Master Plan and United Pathways Master Plan guidelines: During the public hearing process conducted by the Parks and Recreation Commission, there were concerns expressed that the Parks and Recreation Department ignored the guidelines set forth in the Parks and Recreation Master Plan (Exhibit F) and the Unified Pathways Master Plan (Exhibits G and H). Those concerns are not accurate. Our department's original proposal to the Parks and Recreation Commission on November 3, 2009, proposed to use the park and trailhead design guidelines in the UPMP to develop the park and associated trailhead. In design and programming discussions with the adjacent property owners and participating subdivision neighbors, they requested that no vehicle parking be allowed in the park, including no lights, no playground equipment,

no portable toilets, no picnic tables, or day use picnic facilities. The neighbors wanted to limit the site amenities so as not to encourage the park as a destination. Also, in order to mitigate potential wildfire issues, our department has not proposed any fire rings or free-standing barbecues with the proposed plan. The City honored all these requests by the neighbors and the current design reflects those conditions.

On-Street Parking and Loading: There were several concerns expressed by Mr. Richard Schneider before the Parks and Recreation Commission associated with the parking for this project. These concerns specifically relate to the interpretation of Carson City Municipal Code, Title 18 Appendix - Carson City Development Standards, Division 2 Parking and Loading. These issues were the following:

1) Open parking of vehicles accessory to a residential use shall be limited to those actually used by the residents or for temporary parking of guests (2.3.8).

Answer: This applies to off-street parking, i.e. parking on residential parcels, not on the street. Carson City does not prohibit parking on a street if the person is not specifically visiting someone that lives there. On this same point, comments were heard that property owners have the right to the street parking in front of their house. From a legal standpoint, this is not accurate. The public right-of-way is open for parking and travel to anyone within the laws of the City's Vehicle's and Traffic Code, Title 10, not just to the adjacent residents and their guests.

2) No truck, commercial trailer or vehicular equipment of a commercial nature shall be parked in any district where prohibited (2.3.9).

Answer: This section is specifically referring to trucks, commercial trailers and vehicular equipment "of a commercial or industrial nature." Carson City has never considered horse trailers as "commercial" in nature, especially for the transportation of personally owned horses. Such an interpretation would mean that no resident in Carson City could keep a horse trailer at their residence. This is clearly not the case. There are individuals that think horse trailers are commercial vehicles; however, the Carson City Municipal Code does not make such an interpretation and horse trailers are permitted in residential neighborhoods.

3) Temporary parking is allowed - When (the operator is) actually and expeditiously engaged in the loading or unloading of merchandise or when such vehicle is being used in conjunction with the performance of service, repair, construction or similar essential use within the immediate neighborhood (2.3.9.e).

Answer: Again, this not applicable to horse trailers because they are not commercial vehicles.

4) Parking of trailers larger than a panel van or pickup truck within the public right-of-way shall not be permitted where prohibited (2.3.10).

Answer: Again, this not applicable to horse trailers because they are not commercial vehicles.

Lakeview Subdivision's Private Covenants or Deed Restrictions: Some neighbors in opposition to the proposed design have stated that the Lakeview Subdivision's private covenants or deed restrictions don't allow horses and, therefore, the park should not allow horses. This issue, again, relates to the interpretation of the Carson City Municipal Code, Title 18 - Zoning – Jurisdiction, interpretation and application.

1) Private Covenants or Deed Restrictions which impose more restrictive conditions than herein contained (the Carson City Municipal Code) are not superseded by this title. Lakeview does not allow horses. (18.02.025.1).

Answer: There is no conflict with this CCMC section. The code says that any regulation imposed by the City does not supersede CC&R's, which may be more restrictive. The fact that the City allows horses on this park property does in no way supersede any CC&R's the private properties in Lakeview are under. Lakeview residents may continue to have a prohibition against horses on their private properties. The City's DA office has consistently advised in the past regarding similar issues that CC&R's apply to private lands and not to public lands.

Construction Materials: There were concerns during the design process that the construction materials being considered were not appropriate for the Lakeview area. City staff believes a split rail wood fence would be an appropriate fencing material in a natural or rural setting instead of chain link fence, as proposed by some Lakeview residents.

Park's Trail System: There was some discussion with the adjacent neighbors on removing the two-track road west of the residences. The existing two-track road receives a lot of hiking (non-motorized) use and is currently being used as part of the park's trail system. Our department felt the road was far enough from the property line so as not to significantly impact the adjacent residents.

Equestrian Use in the Park: Many neighbors expressed their belief all equestrian use should be limited to the Hobart Road right-of-way. As noted previously, equestrian use has been permitted historically in the entire park. This particular aspect of the project still faces strong opposition by some Lakeview subdivision residents. Our department views this concern as a management and operational issue. Because Lakeview Park is so large (40 acres) and is surrounded by and accessible by federal lands, enforcement of a no equestrian rule within the park is not within the scope of our department's manpower capabilities, and further an undue restriction of the use of a City park that benefits the entire community.

In summary, this plan was created through a compromise between adjacent property owners, the equestrian community, and the Parks and Recreation Department. It is not everything these groups or the City desired, but City staff believes the plan's design is functional, affordable, identifies park uses, addresses public safety concerns, eliminates encroachment on private property, and improves the existing unsafe parking situation at the park's entrance.

Both the Public Works Department and Parks and Recreation Department staff(s) will be providing in-house labor and equipment to assist with the construction of the trailhead facility. The Nevada All State Trail Riders has committed financial resources and volunteer efforts toward the project's construction and on-going maintenance (Exhibit I). Our department can utilize this commitment as seed money or as match for in-kind work to seek grants through various federal and state funding sources to make up potential cost differences. In addition, the project has received support from many Carson City residents, local agencies, and various user groups, including the State of Nevada's Division of State Parks and the Tahoe Rim Trail Association (Exhibit J).

It is anticipated there will be significant opposition by some of the Lakeview subdivision residents to the project in general and specifically to some of the project's individual design components and to any equestrian use. It is also expected that a variety of equestrian, mountain bike, and pedestrian groups will be present at the Commission meeting in support of the project.

There has been some criticism aimed at our department that the only reason the City is doing the project now is because an equestrian group has money. Historically, many Parks and Recreation Department projects have started with city residents having a dream, willing to spend the time to move the project forward, assisting staff in acquiring project funds, and assisting with on-going project maintenance. Two of the more recent examples of this are Kevin Baily and the Urban Fishing Pond Project and Mary Fischer with the Carson City Freeway Landscaping project. It is staff's expectation that this project will join the ranks of the many other successful "grass roots" projects. Also, in these lean economic times, this type of funding opportunity is rare and these funds, along with some sweat equity from the user groups, can assist the city in addressing a number of concerns of the Lakeview residents.

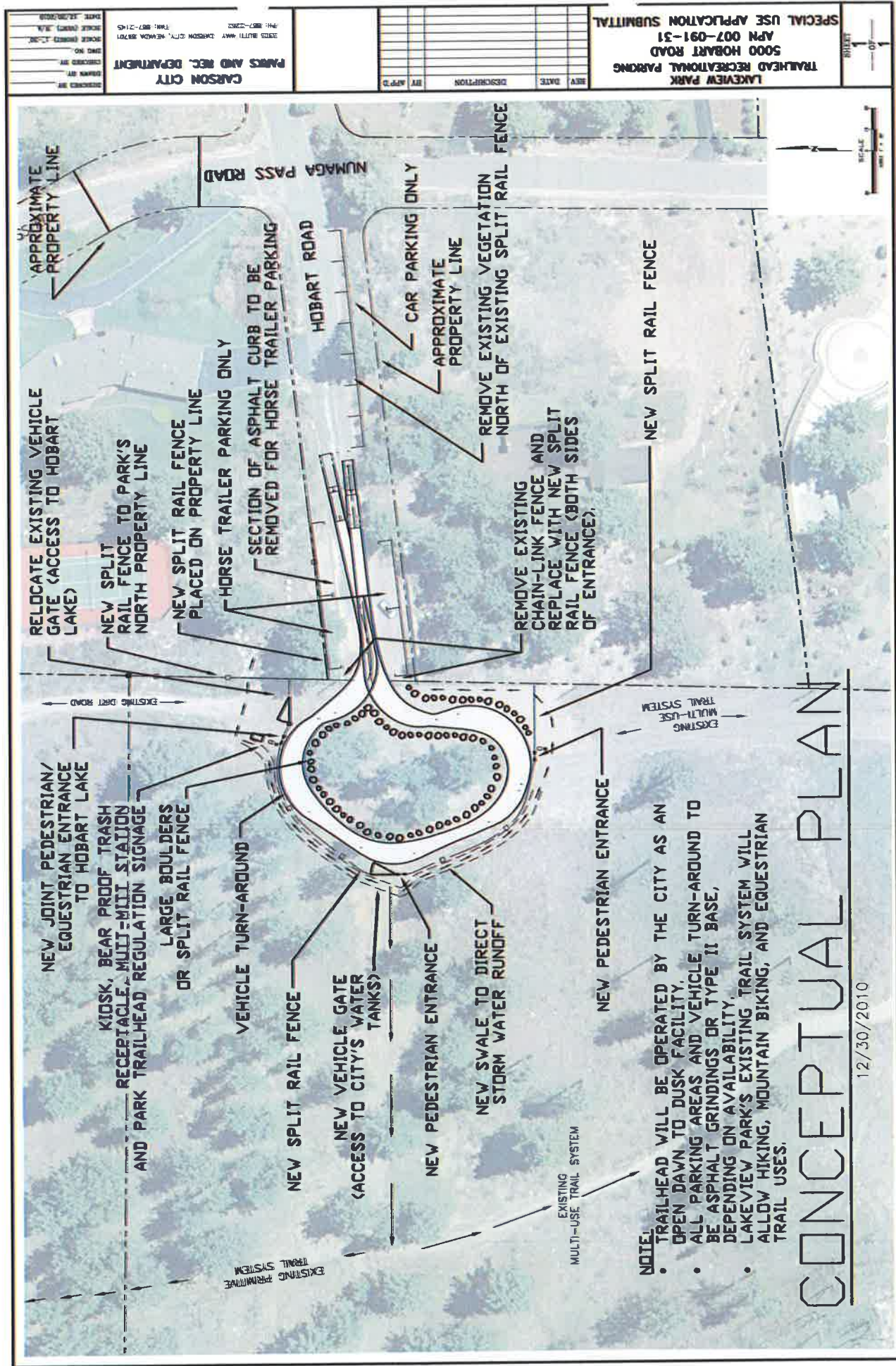
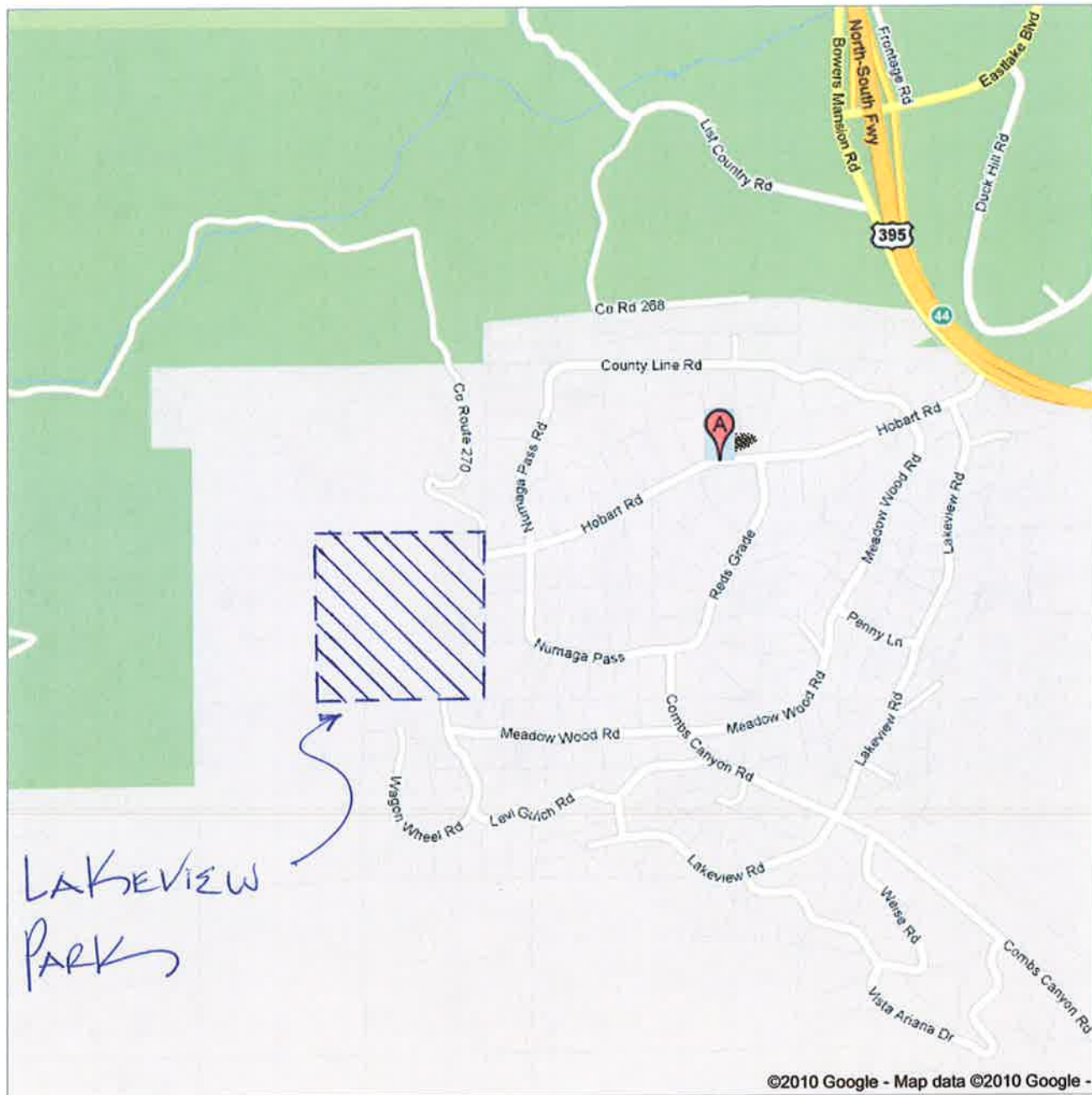


Exhibit A



Address **Hobart Rd**
Carson City, NV 89703



VICINITY MAP

Exhibit B

PORTION T.16 N., R.19 E.
&
PORTION T.15 N., R.19 E.

CARSON CITY, NEVADA
THIS MAP IS PREPARED FOR THE USE OF THE CARSON CITY
ASSESSOR FOR ASSESSMENT AND ILLUSTRATIVE PURPOSES
ONLY. IT IS NOT A GUARANTEE OF THE ACCURACY OF THE
DATA DELINEATED HEREIN. YOU CAN VIEW AND PRINT OUR
MAPS AT NO CHARGE FROM OUR WEBSITE AT
WWW.CARSON-CITY.NV.US

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

Lakeview
Park

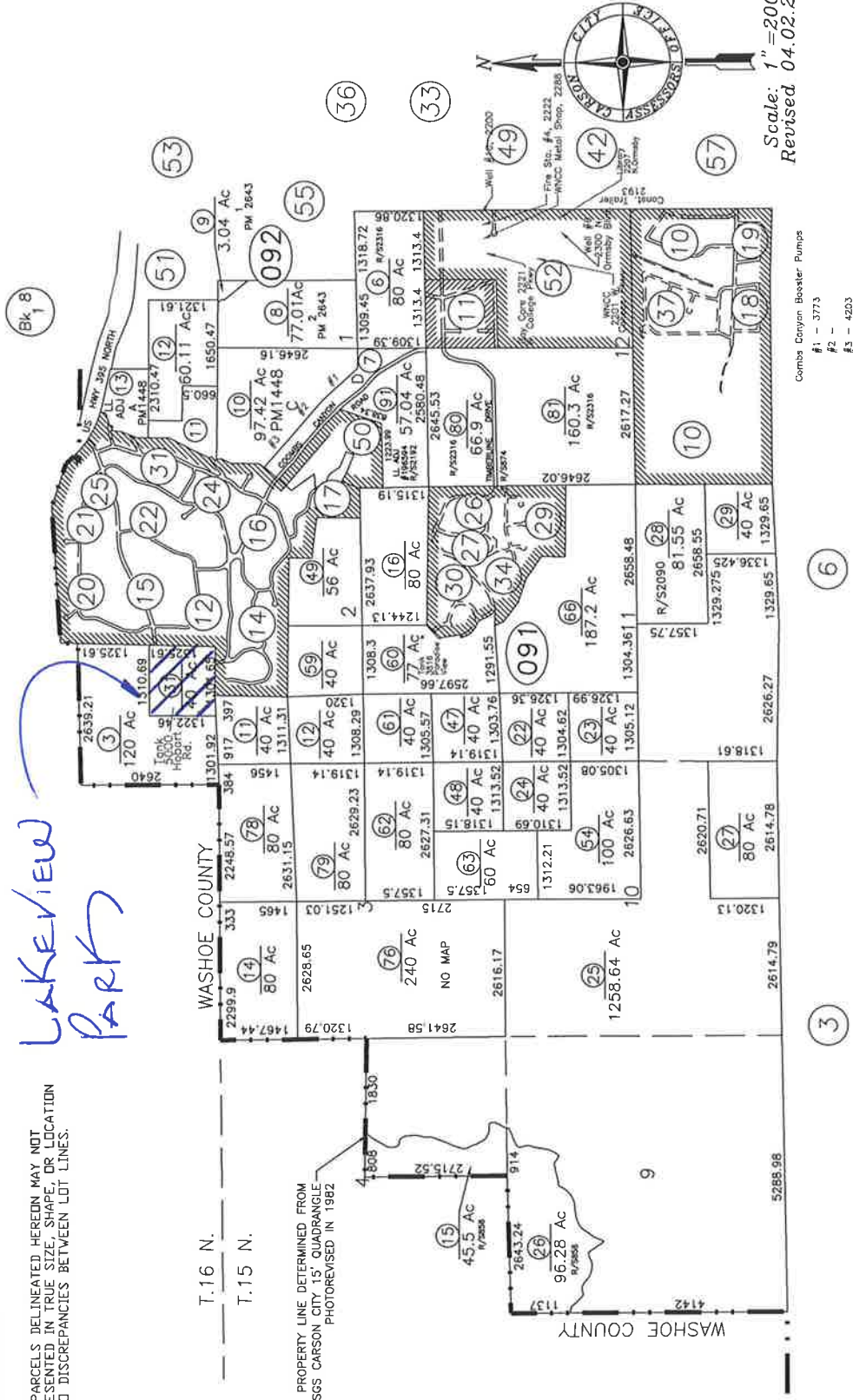


Exhibit B

VICINITY MAP

CARSON CITY PARKS AND RECREATION COMMISSION**Minutes of the December 7, 2010 Meeting****Page 1****DRAFT**

A regular meeting of the Carson City Parks and Recreation Commission was scheduled for 5:30 p.m. on Tuesday, December 7, 2010, in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

PRESENT: Chairperson Donna Curtis
Vice Chairperson Steve Lasco
Commissioner Chuck Adams
Commissioner Janice Brod
Commissioner Randy Carlson
Commissioner James Smolenski
Ex-Officio Commissioner Molly Walt
Commissioner Todd Westergard

STAFF: Roger Moellendorf, Parks and Recreation Department Director
Randal Munn, Chief Deputy District Attorney
Tina Russom, Deputy District Attorney
Scott Fahrenbruch, Parks and Recreation Director of Operations
Vern Krahn, Park Planner
Tamar Warren, Recording Secretary

NOTE: A recording of these proceedings, the commission's agenda materials, and any written comments or documentation provided to the recording secretary during the meeting, are part of the public record. These materials are available for review, in the Clerk's Office, during regular business hours.

CALL TO ORDER AND DETERMINATION OF QUORUM (5:33:50) – Chairperson Curtis called the meeting to order at 5:33 p.m. Roll was called; a quorum was present. Commissioner Lehman was absent as excused. Ex-Officio Commissioner Walt arrived at 5:47 p.m.

CITIZEN COMMENTS ON NON-AGENDIZED ITEMS (5:34:35) – None.

1. **ACTION ON APPROVAL OF MINUTES (3:34:46)** – Commissioner Smolenski moved to approve the minutes of the November 9, 2010 meeting. The motion was seconded by Commissioner Carlson, and carried 7-0.
2. **MODIFICATIONS TO THE AGENDA (5:35:03)** – None.
3. **AGENDA ITEMS (5:35:06)** – Chairperson Curtis recognized Commissioner Carlson, stating that this was his last meeting on the Commission, and that he had served most ably, representing the School Board. She presented a card to him, signed by members of the Commission, and said that she appreciated all his input and hoped that he would apply to fill a future vacancy.

3A. ACTION TO RECOGNIZE PETE LIVERMORE FOR HIS SERVICE ON THE PARKS AND RECREATION COMMISSION. (5:35:52) – Chairperson Curtis invited former Commissioner Pete Livermore, who was leaving the Commission to serve on the Nevada State Assembly, for a presentation. Assemblyman Livermore thanked the Commission, the Parks and Recreation Staff, and the community for allowing him to serve, and cited his tenure as a wonderful time in his life. Chairperson Curtis asked Vice Chairperson Lasco to read a resolution, incorporated in the record, honoring Assemblyman Livermore's service and expressing the Commission's gratitude for his contributions. The resolution, engraved on a plaque and signed by the members of the Commission, was then presented to the former Commissioner. **Commissioner Smolenski moved to recognize Pete Livermore for his service on the Parks and Recreation Commission. The motion was seconded by Vice Chairperson Lasco. and carried 7-0.**

3B. PUBLIC HEARING AND ACTION TO RECOMMEND TO THE PLANNING COMMISSION APPROVAL OF THE CONCEPTUAL LAKEVIEW PARK TRAIL HEAD DESIGN. (5:44:20) – Chairperson



CARSON CITY PARKS AND RECREATION COMMISSION

Minutes of the December 7, 2010 Meeting

Page 2

DRAFT

Curtis introduced the item, and reminded everyone that it was discussed and presented during the October 5, 2010 meeting. However, no action was taken because of loss of quorum. She invited the Parks and Recreation Staff not to repeat the presentation, but, to only present their recommendation. She also suggested that commissioners not discuss the item, as they had done so previously, on October 5th, in order to proceed with the public hearing. Mr. Krahn reminded the Commission that the item had also been discussed during the November 3, 2009 meeting, and had included those minutes in the packets. He also referred to additional handouts, distributed as late-material, and incorporated into the record. Mr. Krahn used a PowerPoint presentation to walk the audience through the project site, a natural park comprised of 40 acres, and located at the end of Hobart Road. He stated that it was a non-motorized access area with limited parking, therefore, those accessing the trails were parking on private property. Mr. Krahn then presented what the proposed site would look like, indicating that every effort would be made to save the trees. He referred to the proposed turnaround, which would not look like other turnarounds, to ensure the trees would not be cut. He suggested a split-rail fence to avoid parking on private property, a “mutt mitt” station, a receptacle and “some sort of regulation signage”. Mr. Krahn added that they would be looking at drainage and grading, in addition to allowing a pedestrian and equestrian gate in the turnaround area. He also addressed the cost to the City, stating that they have been working with the Public Works Department and several contractors to come up with cost estimates for design, permits, and construction in-kind matches which would be done by the Public Works Department. Mr. Krahn also said that the Parks and Recreation Department staff would contribute an in-kind match towards labor and installation of amenities. The working budget, according to Mr. Krahn, would be \$24,828, mostly for material costs such as fencing, bear-proof trash cans, boulders, and other amenities. He summarized by stating that the proposed design would eliminate trespassing concerns on private property, improve parking and traffic circulation, but would not address lights, fire-rings, picnic tables, etc. Mr. Krahn referred to the packets and stated that the Nevada All-State Trail Riders (NASTR), had committed funding for the project.

(6:03:49) – Chairperson Curtis thanked Mr. Krahn and invited Gil Yanuck to continue his public comments, that were left unfinished last October, due to loss of quorum. She also suggested that speakers only come forward if they need to add to what had been said. Mr. Yanuck wished to yield to Richard Schneider, who identified himself as a Lakeview resident, not immediately affected by the park, however, he was speaking for the Lakeview Property Owners Association. Mr. Schneider cited specific Carson City municipal codes, which are incorporated into the record. He stated that the project was an equestrian staging area, on a residential street, that violated City codes. He asked “where’s the park”? In response to Chairperson Curtis’ question, Mr. Schneider explained that he had shared the information with Jennifer Pruitt of the Planning Division. When Chairperson Curtis asked Ms. Pruitt to elaborate, she stated that at the October meeting, Mr. Schneider, in passing, had mentioned his concerns to Ms. Pruitt about this particular project, and as it related to zoning. She said that she “had noted to him, in passing, that we would be addressing those, at the time in which this item was before the Planning Division, then would be forwarded up to the Planning Commission, through a special use permit.”

(6:10:41) – Scott Dutcher, who introduced himself as the President-elect of NASTR and a Carson City resident, claimed that he was speaking on behalf of the equestrian group. He stated that their support was for the “continued multi-use classification of this trailhead”. He said they were not proposing, nor would support, turning Lakeview Park into a horse park, but keeping it a simple trailhead that could be used by many groups. He commented on the existence of Hobart Road since the 1870s, with horses and mules being the primary transportation on it for 70 years. He also added that the Federal Government had transferred title to the City in 1967, conditional on its use as recreational property. However, he continued, that a locked gate and a chain-link fence forced the public to trespass on Mr. Bickett’s property, and that they wanted to get their trailers off that property. He gave background on NASTR, stating that it was a Carson City-based, non-profit corporation, organized in 1968 for the purpose of preserving historic trails in Nevada by sponsoring and promoting horseback riding on these trails. He opined that this proposal was consistent with the Parks and Recreation Department’s master plan. Mr. Dutcher also confirmed that NASTR had offered the City \$10,000, raised in private donations, “as seed money, to implement your plans for establishing the most basic component of a natural park, which is Parking”. He also offered the services of their volunteer members for maintenance of the proposed parking area and the existing trail on Hobart Road, and a \$5,000 grant to the City, received from the American Endurance Ride Conference. Mr. Dutcher valued the in-kind contributions and donations at \$20,000. He concluded by confirming that horsemen overwhelmingly supported this project, but that did not make it a horse park, and that it would still be a public park.

CARSON CITY PARKS AND RECREATION COMMISSION

Minutes of the December 7, 2010 Meeting

Page 3

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(6:16:24) – Beth Scott introduced herself as being “with Back Country Horsemen of America, and also on the Board of Directors for the Friends of Silver Saddle Ranch”. Ms. Scott explained that she dealt with many similar situations, and questioned the ordinances Mr. Schneider had cited, stating that many sounded like CC&Rs “which only affect the homeowners in the area”. She asked to be furnished with Mr. Schneider’s citations so that she could research them. She stated that this process had been going on for “such a long time”. She urged the Commission to make a decision, so that people could ride the Discovery Trail.

(6:19:57) – Britta Appel, who introduced herself as a member of Back Country Horsemen, spoke in response of Mr. Schneider’s comments, stating that the park had been there long before the homeowners association. She assumed that the Homeowners Association had taken the property with associated burdens associated with the original deed. Ms. Appel also stated that the constitutional references for due process and eminent domain, cited by Mr. Schneider, would not apply in this case, because “there is not taking”. She suggested that “quiet enjoyment” was a landlord-tenant issue, and not a constitutional one. Mr. Schneider explained that the quotes and cites were from the Carson City Municipal Code, the Carson City Trail Standards, and the Carson City Pathways Master Plan, and that they all applied to parking in neighborhoods. He added that the problem was the parking of vehicles of commercial nature on residential streets. Mr. Schneider also stated that he would like to see the park used by all residents. He was also concerned that big Sierra trees would be taken out because they were burnt.

(6:25:55) – Patty Hill, introducing herself as the Secretary of Back Country Horsemen, Carson Valley Chapter, explained that they were in support of a trailhead, not a park. She said that they were seeking a place to park their trailers, and ride their horses on the trail. She added that they were working very closely with many horse organizations, BLM and the Department of Parks and Recreation to ensure open access to public lands. She stated that horse trailers were not commercial vehicles. She also added that she rode the trail herself, but was unaware that she was parking on private property, and felt very bad about it. She said there were no signs prohibiting her from doing so. Ms. Hill also said that they had brought that up in their last meeting, and informed everyone. She stated that they practice “leave no trace”, which meant that they cleaned up after themselves.

(6:28:38) – Mr. Yanuck explained that the property owners association and the trail riders have “a pretty good understanding” about the area being a trailhead. He added that all they’d heard was that the trail riders wanted “a place to park and get up the trail”. Mr. Yanuck also suggested getting an opinion from the District Attorney’s office regarding the municipal codes cited by Mr. Schneider, because the riders may be violating a municipal code if they parked “way down the road”, should they not find appropriate parking. He said he wanted to know “whether what you are doing is legal, rather than after the fact”. Ex-Officio Commissioner Walt explained that if this was based on the Master Plan, developed in 2006, the issues would have all been addressed. In response to a question by Mr. Yanuck, Mr. Moellendorf stated that parking on the street with horse trailers was not addressed at the time of the development of the Master Plan. Lakeview Park, he continued, was talked about as being a natural park and a trailhead to the back country, the Forest Service and the State Park system, and individual codes and ordinances were not researched as part of that Master Plan. Chairperson Curtis reminded everyone, that based on Ms. Pruitt’s information, the expected action would be to take this to the Planning Commission next. Mr. Yanuck explained that there would be a natural limitation to the area due to limited parking space, and would be “first come, first serve”. Commissioner Smolenski opined that the City has tried to address all the concerns on both sides, including parking, and assumed that there would be signage indicating horse trailer only, and car only parking areas. He wondered why these issues have come to a head now, since the park has been there for such a long time.

(6:40:12) – Bruce Kittess, Lakeview resident, observed that the equestrian groups’ trailers were getting larger, and that a turnaround was what started the issue. He stated that they had addressed the parking issue, and had agreed to a turnaround. He gave background on the park, which he said was acquired by Ormsby County, and had been a water park for twenty-five years. He also explained that the Lakeview Property Owners Association was a volunteer group that did not collect dues, but were interested in preserving the neighborhood. “We really don’t have a lot of confidence in Parks and Recreation, because they’ve neglected the property” he added. He also stated that many Lakeview residents owned and liked horses, however, they were surprised to see three equestrian/pedestrian gates. He opined that it was City Staff’s desire to have horses in the park, and that was the point of contention.

CARSON CITY PARKS AND RECREATION COMMISSION

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(6:45:35) – Chairperson Curtis stated that she had heard the last two speakers say that “there really aren’t that many problems” and asked for clarification on the term “horses in the park”. Mr. Moellendorf explained that the property spanned forty acres and accommodated multiple uses including mountain biking, hiking, and bird-watching. He added that most of the equestrian use had been up to the trailhead, up to Hobart Road and into the back country. However, he felt that there was enough room for a novice rider, or someone wanting to warm up their horse before going on the trail, and saw no reason to prohibit that, since it had been going on already. Commissioner Carlson asked whether there was anything that prevented a rider from going anywhere they wanted in the park, even if the south entrance was removed, and Mr. Krahn confirmed there was not. Commissioner Smolenski questioned the need to have three equestrian accesses, and wanted to know if the forty acres were fenced. Mr. Moellendorf clarified that the forty acres blended seamlessly into Forest Service land. He also explained that the current design was the outcome of many meeting with the homeowners, who did not want parking and park-like amenities. Chairperson Curtis agreed with Mr. Yanuck that the design would self-limit the number of people who would use the park. She also invited Mr. Dutcher to address the issue of the three equestrian gates. Mr. Dutcher stated that the three gates were the recommendation of City Staff, and that they had only asked for access onto the road, so that they could move through the park.

(6:53:27) – Dennis Parrish, who identified himself as a resident of Lakeview, said that he was happy with “what was going on” until he heard that there would be entrance for the horses into the park. He approved of the parking, however, since he lived across from the park, he was concerned that if the horses, especially in large numbers, roamed the park, there would be a sanitation issue. He appreciated the riders’ promise that they would clean up, but was aware that the residents had cleaned up in the past. He also stated that, neighbors had seen “horse individuals dumping their trailers out there”. He guessed that it probably was not done by “this group here, because the communication has been great between the horse people and the homeowners”.

(6:55:51) – Dyke Kauffmann, identified himself as being with NASTR, and said that he had attended all the meetings about the project, and was surprised that parking was still an issue. He believed that they’d had more than one compromise, since originally they had requested to have the parking “inside” thinking it would be “less impactful to the residents”. Commissioner Adams stated that Staff had worked hard to come up with a plan to put the parking on the street and not have it “in the loop”, which the residents opposed. He was surprised that “we’re still talking about it”.

(6:57:50) – Laurie Walsh wanted to alleviate Mr. Parrish’s concern, and said that the horsemen just wanted access. She did not believe that very many people would go through all the trouble of hitching up a trailer, driving up to a trailhead, and then limiting themselves to riding within forty acres. She clarified that they could access the Tahoe Rim Trail from the trailhead, which would also allow them access to the Pacific Crest Trail. She explained that they could technically ride from that trailhead to Mexico or Canada. She also said she lived at a trailhead, on Kings Canyon, and has seen up to thirty-four cars parked there when joggers and hikers have come to access the waterfall. Commissioner Carlson identified himself as Ms. Walsh’s neighbor, and he understood what it meant to have a trailhead in his neighborhood. He said that he had lost his house because someone, who in all likelihood, went into the neighborhood from the trailhead, did not take care of a campfire. However, he still appreciated having a trailhead, which he had used thirty years ago to walk up to Lakeview. In fact, he added, he recalled parking his car in the exact place shown in Mr. Krahn’s slide presentation.

(7:01:10) – Marty Schwedhelm, introducing himself as a Lakeview resident, referred to a letter he had sent to Mr. Krahn, which is incorporated into the record. He disputed Mr. Dutcher’s comments by stating that the road in question had become Forest Service property, and the fact that it had been used by equestrians for 140 years had been for transportation, not recreation. He believed that the reason this issue had come to a head was because “the City was being bought to put a project in”. At first, he said, the parking lot was to be inside the park, but the compromise plan was to allow four horse-trailer combination parking spaces, and five or six auto parking spaces. He stated that they were bought into the turnaround as a measure of safety. He stated that the houses came shortly after the City had obtained the property. Mr. Schwedhelm also refuted Mr. Dutcher’s remark that moving the parking inside the park would result in no change. He believed that having parking in a more accessible area would increase use. He also remarked that the signs indicating private property should be facing the road, and that he was in favor of security fencing versus a split-rail fence.

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(7:08:04) – Chairperson Curtis expressed interest in the term “compromise” heard from the last four speakers, representing the Lakeview neighborhood. She was certain that the parking laws in question would be addressed by the Planning Commission, but she wanted to understand the “real issue” at hand. She recognized that there would no longer be parking inside the park, people would not be “wandering around with their horses” there, and they would be going up on the trail. The parking was limited, she added, and the riders would be picking up after their horses. She solicited other objections from the neighborhood that had not yet been addressed, prior to taking action. Commissioner Lasco mentioned that during the October meeting he had requested a status update on the parking situation. Mr. Krahn explained that there would not be any net gain in parking. Chairperson Curtis asked the additional speakers to be brief. Connie Creech, identified herself as a member of NASTR and a Carson City resident, stated that she frequently rode the Hobart Trail up to the Tahoe Rim Trail and above. She explained that the area use was seasonal, due to snowfall. She clarified that their group did fundraising for the purpose of keeping trails accessible for equestrian use. Ms. Creech also indicated that the Back Country Horsemen and NASTR had purchased signs, installed last fall, to indicate cleaning up after horses. She stated that this issue had been brought up to the Commission in the 1980s, and that they understood the homeowners’ concern and “just wanted to get along with them”.

(7:13:40) – Mary Fischer, a Lakeview resident, believed they needed more trails, and that she had been fighting to get trailheads, such as the one near Franktown back. She deemed dog mits important. She also stated that the issue was one of semantics, and by calling the trailhead a park, people would think of a different kind of park, with playground equipment, etc. She said that by calling it a trailhead, there won’t be any pressure down the line for sanitation facilities, tables, etc. Chairperson Curtis reminded Ms. Fischer that City had definitions, in its plans, of trailheads that did include picnic benches, sanitation facilities, and tables. Chairperson Curtis called for additional Commissioner comments. Mr. Yanuck echoed Chairperson Curtis’ comments regarding the compromises that were “many”. He also said he heard the trail riders explain that they did not want to linger, but simply wanted access. He suggested that the Parks and Recreation Department make a compromise by removing the excess gates, which the trail riders said they did not need. Mr. Moellendorf stated that if removing the two equestrian gates gave the residents a level of comfort, it could be done. However, he added, he did not want to exclude horses from the park, as it would create an enforcement issue. Commissioner Smolenski concurred, and stated that excluding the horses meant fencing the entire park. Mr. Yanuck also expressed concern about fencing the entire park, and added that it would be impossible to exclude people from entering the area anyway. Commissioner Carlson stated that without additional parking, there would not be additional horses nevertheless. Commissioner Westergard cautioned against eliminating other park uses with the removal of gates. Mr. Moellendorf replied that they could fashion a specific design to ensure pedestrians and hikers could still get into the park.

(7:23:45) – Commissioner Walt moved to recommend to the planning commission the approval of the conceptual Lakeview Park Trailhead design, with the discussed amendment of removing the two equestrian gates. Commissioner Adams seconded the motion. Chairperson Curtis called for further discussion, and when none was forthcoming a vote. The motion carried unanimously.

A five-minute recess was declared by Chairperson Curtis, while the audience cleared the room.

Chairperson Curtis called the meeting back to order at 7:33 p.m.

3C. DISCUSSION ONLY REGARDING TOBACCO USE IN CITY PARKS AND THE HEALTH AND HUMAN SERVICES DEPARTMENT’S TOBACCO USE IN PARKS SURVEY. (7:33:36) – Chairperson Curtis introduced the item. Mr. Moellendorf explained that this issue has come up five years ago for several reasons, such as promoting a healthy lifestyle, setting a good example for the youth, and eliminating litter and maintenance issues. He went on to say that many cities across the country had banned tobacco in parks. He believed Seattle banned tobacco use in parks, but had it revoked later. Mr. Moellendorf cited a recent Health and Human Services Department survey, incorporated into the record, where 88.7% of participants supported tobacco-free parks. However, he added, the person managing the survey had left and could not be here to discuss the details or reasons for the survey. Mr. Moellendorf explained that the City does not condone smoking in parks, and they do recognize it as a maintenance problem, however, because of budget cuts in the last three years, and with the presence of only one park ranger, they would find it more

Nevada 066634

Exhibit D

The United States of America

To all to whom these presents shall come, Greeting:

WHEREAS, Ormsby County, Nevada, is entitled to a Land Patent pursuant to the Act of June 14, 1926, 44 Stat. 741, as amended, 43 U.S.C. 869 (1964), for the following described land:

Mount Diablo Meridian, Nevada
T. 16 N., R. 19 E.,
Sec. 35, SE $\frac{1}{4}$ SW $\frac{1}{4}$;

containing 40 acres:

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES, unto the above named claimant, the lands above described: TO HAVE AND TO HOLD the said land with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said claimant, its successors and assigns, forever;

EXCEPTING AND RESERVING TO THE UNITED STATES:

1. A right-of-way thereon for ditches and canals constructed by the authority of the United States, Act of August 30, 1890, 26 Stat. 391; 43 U.S.C. 945;
2. All the mineral deposits in the lands so patented, and to it, or persons authorized by it, the right to prospect, mine and remove such deposits from the same under applicable law;

SUBJECT TO:

1. A public works easement, Nevada 048420, pursuant to the Act of September 3, 1954, 68 Stat. 1146;
2. The grant of the above described lands is subject to the following conditions and limitations:
 - a. If the patentee or its successor in interest does not comply with the provisions of the approved plan of development, filed June 2, 1966, with the Bureau of Land Management, or with the approved plan of management, filed September 20, 1967, with the Bureau of Land Management, or by any revision thereof approved by the Secretary of the Interior or his delegate, said Secretary or his delegate, after due notice, and opportunity for a hearing, may declare the terms of this grant terminated in whole or in part. The patentee, by acceptance of this patent, agrees for itself and its successors in interest that such declaration shall be conclusive as to the facts found by the Secretary or his

delegate and shall, at the option of the Secretary or his delegate, operate to revert in the United States full title to the lands involved in the declaration;

The Secretary, or his delegate, may in lieu of said forfeiture of title require the patentee or its successor in interest to pay the United States an amount equal to the difference between the price paid for the land by the patentee prior to issuance of this patent and 50 percent of the fair market value of the patented lands, to be determined by the Secretary or his delegate as of the date of issuance of this patent, plus compound interest computed at four percent beginning on the date this patent is issued;

b. The patentee or its successor in interest shall comply with and shall not violate any of the terms or provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 241), and requirements of the regulations, as modified or amended, of the Secretary of the Interior issued pursuant thereto (43 CFR 17) for the period that the lands conveyed herein are used for the purpose for which the grant was made pursuant to the act cited above, or for another purpose involving the provision of similar services or benefits;

c. If the patentee or its successor in interest does not comply with the terms or provisions of Title VI of the Civil Rights Act of 1964, and the requirements imposed by the Department of the Interior issued pursuant to that title, during the period during which the property described herein is used for the purpose for which the grant was made pursuant to the act cited above, or for another purpose involving the provision of similar services or benefits, the Secretary of the Interior or his delegate may declare the terms of this grant terminated in whole or in part;

d. The patentee, by acceptance of this patent, agrees for itself or its successors in interest that a declaration or termination in whole or in part of this grant shall, at the option of the Secretary or his delegate, operate to revert in the United States full title to the lands involved in the declaration;

Nevada 066634

e. The United States shall have the right to seek judicial enforcement of the requirements of Title VI of the Civil Rights Act of 1964, and the terms and conditions of the regulations, as modified or amended, of the Secretary of the Interior issued pursuant to said Title VI, in the event of their violation by the patentee;

f. The reservations, conditions, and limitations contained in paragraphs a through e shall constitute a covenant running with the land, binding on the patentee and its successors in interest for the period for which the land described above is used for the purpose for which this grant was made, or for another purpose involving the provision of similar services or benefits;

g. The assurances and covenant required by b through f above shall not apply to ultimate beneficiaries under the program for which this grant is made. "Ultimate beneficiaries" are identified in 43 CFR 17.12(h) (1965 edition);

h. The grantee agrees that he will, upon request of the Secretary of the Interior or his delegate, post and maintain on the property conveyed by this document signs and posters bearing a legend concerning the applicability of Title VI of the Civil Rights Act of 1964 to the area or facility granted;

i. If, after issuance of the patent, the patentee or its successor attempts to transfer title to or control over the lands to another or the lands are devoted to a use other than that for which the lands were conveyed, without the consent of the Secretary of the Interior or his delegate, or prohibits or restricts, directly or indirectly, or permits its agents, employees, contractors, or subcontractors (including without limitation, lessees, sublessees and permittees), to prohibit or restrict, directly or indirectly, the use of any part of the patented lands or any of the facilities thereon by any person because of such person's race, creed, color or national origin, title shall revert to the United States.

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

[SEAL]

GIVEN under my hand, in Reno, Nevada,
the TENTH day of OCTOBER in the year
of our Lord one thousand nine hundred and SIXTY-SEVEN
and of the Independence of the United States the one hundred
and NINETY-SECOND.

By Rolla E Chandler
Manager, Nevada Land Office

Patent Number 27-68-0065



	Assessor Home	Back to Search List	
Personal Property	Sales Data	Secured Tax Inquiry	Recorder Search

Parcel Detail for Parcel # 007-091-31

Location Property Location 5000 HOBART RD Town Subdivision Lot Block Property Name TANK SITE		Description Total Acres 40.000 Ag Acres .000 W/R Acres .000 Improvements Single-fam Detached 0 Non-dwell Units 2 Bdrm/Bath 0/00 Single-fam Attached 0 MH Hookups 0 Stories 1.0 Multi-fam Units 0 Wells 0 Mobile Homes 0 Septic Tanks 0 Total Dwelling Units 0 Bldg Sq Ft 0 Improvement List Garage Sq Ft 0 Attch/Detch Basement Sq Ft 0 Finished 0
Ownership Assessed Owner Name PARKS DEPT, CITY OF CARSON Mailing Address 3303 BUTT1 WAY #9 CARSON CITY, NV 89701-0000 Legal Owner Name CARSON CITY Vesting Doc#, Date 00/00/00 Book/Page / Map Document #s		Appraisal Classifications Current Land Use Code 710 Code Table Zoning PC Re-appraisal Group 3 Re-appraisal Year 2010 Orig Constr Year 1975 Weighted Year

Valuation			
	Working Year	Closed/Reopened	Prior Year
	2012-13	Year 2011-12	2010-11
Land	28,000	28,000	35,000
Improvements	26,458	26,458	27,321
Personal Property	0	0	0
Ag Land	0	0	0
Exemptions	54,458	54,458	62,321
Net Assessed	0	0	0

RECEIVED
Bur of Land Management
NEVADA LAND OFFICE

SEP 20 1967 10:00
A. M.

NEVADA STATE OFFICE
RENO, NEVADA

PLAN OF MANAGEMENT

Nev. 066634
(Lakeview Park)

In consideration of the nominal price of \$2.50 an acre, Ormsby County agrees to the following commitments, which will be incorporated by reference in the patent conveying the land included in recreation and public purposes application, Nevada 066634:

1. The lands will be maintained open to use by the public for recreational purposes without discrimination or favor.
2. No more than a reasonable charge will be made for the use of facilities on the land (whether by concession or otherwise) no more will be charged for entrance to and use of the area than is charged by other comparable installations managed by State and local agencies. Charges to be subject to review and modification by the Secretary of the Interior, under due process procedures.
3. The lands will be developed and managed in accordance with the approved plan of utilization.
4. The Bureau of Land Management will be allowed, consistent with the recreational objective of the area, to manage all other values of the lands and the right of the United States will be recognized to retain the revenues from such management.

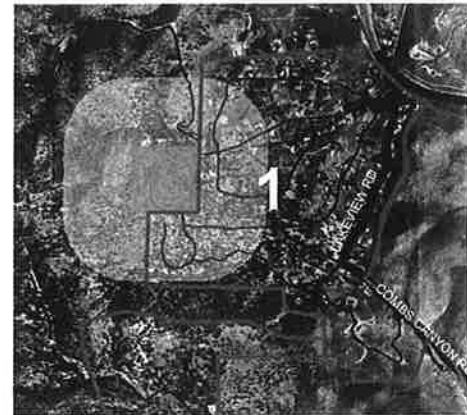
Keith W. MacDonald
Authorized Officer

September 18, 1967
date

The following is a neighborhood-by-neighborhood analysis relative to Neighborhood park needs. It includes general observations about existing and potential future conditions, as well as relevant survey results. Two key survey questions are referenced: Q19 asked whether the City should purchase land in the respondent's neighborhood for a Neighborhood park. Q17 asked the respondent to indicate the importance of several potential recreation facilities, including Neighborhood parks and Natural parks. This question is referenced to give a perspective on how the respondents from each neighborhood felt generally about Neighborhood parks, and Natural parks as a comparison with their response to with Q19.

1

PARK:	Lakeview Park
TYPE:	Natural
SIZE:	40 acres
NOTES:	27% of population within walking distance of park
SCHOOL:	None



OBSERVATIONS:	This relatively low density neighborhood is adjacent to Lakeview Park as well as public lands with a number of trails. The neighborhood has relatively little growth potential.
SURVEY:	Q19: Relatively little interest (35%) in purchasing land in the neighborhood for a park. Q17: 42% felt that it was generally important for the City to add Neighborhood parks. However, 53% felt it was important to add Natural Parks.
IMPLEMENTATION STRATEGIES:	Future subdivisions should provide recreation space in the form of a trails, natural areas, and open space anchored to several small passive parks with tot lot equipment to serve future young families. Develop Lakeview Park to include natural amenities.

2

PARK:	None
TYPE:	N/A
SIZE:	N/A
NOTES:	0% of population within walking distance of park
SCHOOL:	None



OBSERVATIONS:	This relatively low density neighborhood has no park or school access, but is surrounded by public open lands with a number of trails. However, there is growth potential—the adjacent state land could develop as homes.
SURVEY:	Q19: There is moderate interest (44%) in developing a Neighborhood park. Q17: 39% felt it was important generally to add Neighborhood parks, but 66% supported adding Natural parks.
IMPLEMENTATION STRATEGIES:	Future subdivisions should provide recreation space in the form of a trails, natural areas, and open space anchored to several small passive parks with tot lot equipment to serve future young families.

9.1 PROPOSED TRAIL COMPONENTS

There are many more actual trails than shown on the UPMP. The trail alignments shown are intended to represent the primary 'framework,' or major structure of Carson City's trail system. It is intended to serve as the guiding document for the expansion of Carson City's trail system and will be incorporated into the City's overall Master Plan.

For trails on land on which the City does not have jurisdiction (federal, state, Washoe Tribe, Bureau of Indian Affairs (B.I.A.) or adjacent counties), the Plan is intended to reflect proposals or wishes of the City with regard to pathway connectivity and continuity of uses between Carson City and the respective agency, as well as the potential sharing of maintenance, signage, and management. Of course, Carson City recognizes that the actual uses of those trails and decisions about changes in uses or alignment are the purview of the respective agencies. The City encourages these agencies to consider the designations on the UPMP as input to the decision-making process of each agency. The City stands ready to provide planning and coordinating efforts with these agencies and to cooperate in resolving inconsistencies and in making adjustments to the UPMP that are beneficial to the overall system.

The proposed trail system reflects the general desires of Carson City residents as well as the future recreation and transportation needs of the City. Comments from residents were incorporated into the UPMP as were comments from City staff.

In general, trail alignments were chosen based on the following criteria:

9.1.1 CONNECTING EXISTING TRAIL CORRIDORS

Carson City currently has a number of existing trails. However, these trails are disconnected and do not provide a comprehensive trail system. Many trail alignments are proposed to connect existing trail segments together.

9.1.2 LINKS TO DESTINATIONS

From the public workshops and public meetings, it became evident that Carson City residents desire a trail system that offers linkages to existing destinations. Currently, parks, trails, shopping areas, neighborhoods, and the open lands surrounding Carson City are not accessible from many areas of the City. Many proposed trail corridors create linkages to the City's major destinations from each of the City's neighborhoods.

9.1.3 UPGRADE EXISTING TRAIL CORRIDORS

While Carson City has a number of existing trails, some of the trails must be upgraded to expand their usage. In some cases, this plan proposes enhancing parts of Carson City's trail system by paving existing off-street trails or adding off-street paths to replace existing on-street bike lanes. By upgrading portions of the Carson City trail system, it is hoped that these pathways will become accessible to a greater variety of user groups.

9.1.4 EXISTING RIGHT-OF-WAY

Many of the trail types chosen in this plan reflect existing road right-of-ways. Therefore, in certain portions of the city, trail types may have been restricted to shared street or on-street bicycle lanes due to space limitations. Where existing rights-of-way were wide enough to accommodate off-street trails, paved paths have been recommended.

9.1.5 AVAILABILITY OF RIGHT-OF-WAY

Many of the trail types chosen in this plan reflect existing road right-of-ways. Therefore, in certain portions of the city, trail types may have been restricted to shared street or on-street bicycle lanes due to space limitations. Where existing rights-of-way were wide enough to accommodate off-street trails, paved paths have been recommended.

9.1.6 RESPECTING PRIVATE PROPERTY

Where possible, trail alignments were chosen to be located on federal, state, or City lands to avoid private property or Washoe Tribe lands (Bureau of Indian Affairs (B.I.A.)). The trails proposed in the UPMP take advantage of existing utilities easements; City owned land; and land owned by the BLM, USFS, or the State of Nevada. In some areas, trails do cross through privately owned land. In most cases, the alignments shown are intended to be "desire lines" (flexible) to make crucial linkages in the City's trail system.

For trails on City or private land, the UPMP represents the trails over which the City does (existing trails) or would (proposed trails) intend to provide management responsibility. However, trail alignments shown on the plan do not imply existing legal access rights.

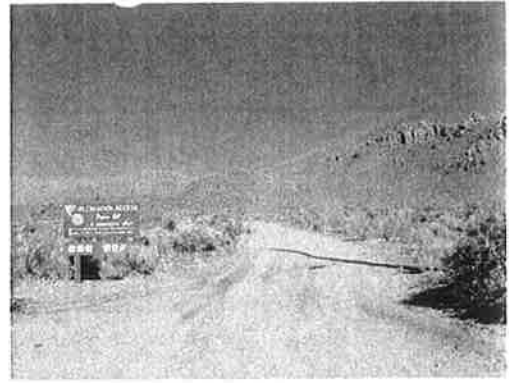
9.1.6 HISTORIC AND NATIONAL TRAILS

There are known routes for (and in some cases actual remnants of) a number of historic trails that once crossed the Carson City area. There are also several significant national and regional trails in the vicinity of Carson City. These trails are indicated on maps in Appendix 13.5 and include:

- the Pony Express Trail
- the California / Overland Trail (including Carson Pass and the Johnson cutoff)
- the American Discovery Trail, located to the north of the City,
- the original V&T Railroad now converted to a trail along the western foothills
- the Tahoe Rim Trail
- Kings Canyon Road (The Lincoln Highway)

9.1.7 THE INNER AND OUTER LOOP TRAILS

The inner loop trail travels within Carson City's perimeter. This trail links a number of destinations and can be used for recreational purposes as well as by commuters. The outer loop trail encircles the City an extensive off-road trail circuit



A recreation access to the Pine Nut Mountains, open to OHV's.



Access to Riverview Park and off-limits to OHV's.



Access to Silver Saddle Ranch, which future trail development will make it more accessible to equestrian users.

through the foothills of Carson City. Not only will this challenging trail serve existing Carson City residents, but it can also serve as a tourist attraction, drawing a number of visitors.

9.1.9 OHV AREAS

OHV use is designated for a number of double track trails and several general areas. The areas designated for general OHV use reflect existing use areas in the northeast and southeastern portion of the City—in the Pine Nut Mountain area and the south end of Prison Hill. OHV-designated trails include routes to and between these general OHV use areas, as well as fire roads and other double track trails that are currently used by OHV's.

It is acknowledged that there are other trails, especially single track, that may be currently used by OHVs but are not so designated on the UPMP. The detailed documentation of all trails in the Eagle Valley, and the types of use they experience, is beyond the scope of this Master Plan. It is recommended that detailed trail/use mapping be completed as an early implementation action of the UPMP, followed by a more detailed analysis of OHV needs, opportunities, and compatibilities. This effort should be coordinated with an update of the BLM's Pine Nut Mountain area management plan.

9.1.10 EQUESTRIAN TRAILS

Horses may be ridden legally on any street in Carson City, unless otherwise posted. In the UPMP, horses are also shown as allowed uses on the multi-use trails (soft surface portion) and off-street unpaved trails.

In addition, there are areas of the city that have concentrations of horse properties, and areas in and around Carson City (e.g. southeast quadrant, Prison Hill area) that have traditionally been destinations for equestrian use. For this reason, it is recommended that equestrian signs be installed in these areas to alert automobiles and other types of trail users of the potential for higher-than-usual equestrian use.

9.2 TRAIL AMENITIES

9.2.1 SIGNAGE

Signs add to the enjoyment, convenience, and safety of pathway users. To increase comprehension, it is recommended that the City develop standard types of signs for the pathway system. It may be desirable to develop a theme or logo that can be used on all of the signs along the trail to promote the identity of the pathway. Pathway signs should be created to perform some or all of the following functions:

- ❧ **Direction:** On-street signs to direct people to trail access points. The design of these signs should be coordinated with the City's transportation department. On-street signs generally must conform to the Manual of Uniform Traffic Control Devices and therefore may need to differ in size and style from trailside signs.✦ **Trailhead:** Identify trail access points and parking areas.



An example of where signage would be helpful to inform users about the purpose of the bollards.

- ❧ **Information:** These may include a map with a “you are here” type of orientation and provide information about the trail, places it accesses, trail rules, and seasonal closures. They may also acknowledge groups and individuals that contributed to the funding, maintenance, or construction of the trail.
- ❧ **Guideposts:** Small trail markers used to mark points of interest and distances. Guideposts can also be used to provide locational information for emergency response.
- ❧ **Regulatory:** On paved trails, small, trail-sized versions of traffic signs (stop, yield, curves, slow, dismount, etc.) may be warranted to alert pathway users to unexpected conditions.
- ❧ **Mile Markers:** Identify distances on trails. May be used to deter people from manually marking mileage on trails.



Trail signage that evidences incompatible uses too close together.

The other trail agencies have their own requirements and limitations for signage. The City will need to work with all of them to develop a consistent system.

9.2.2 TRAIL NAMING SYSTEM

A trail naming system is proposed to differentiate Carson City’s numerous trails. The naming/numbering system will be used to designate major trail alignments that traverse the City. Trail names do not take into account trail types and many different trail types may be incorporated into a single trail route. In general, trails that run from north to south should be given an odd number while trails that run from east to west should be given an even number. Some trail names were chosen based on roadways that parallel the trail alignment such as 395 and 50.

9.2.3 TRAILHEADS

The plan designates three types of trail heads: trailheads with parking, trailheads with equestrian trailer parking, and non-parking access points. Trailheads that offer parking are typically located outside of the urban area near trails that are heavily utilized. The amount of parking offered at these trailheads is dependent on trail usage and space availability. Parking may consist of on-street parking or a small parking lot.

Trailheads with equestrian trailer parking are proposed in areas where there are a number of equestrian trails. Parking at these trailheads consists of a small parking lot that is large enough to accommodate the parking and maneuvering of horse trailers.

Non-parking access points are typically located in neighborhood areas. Since these trailheads are located in residential areas, they do not provide parking.

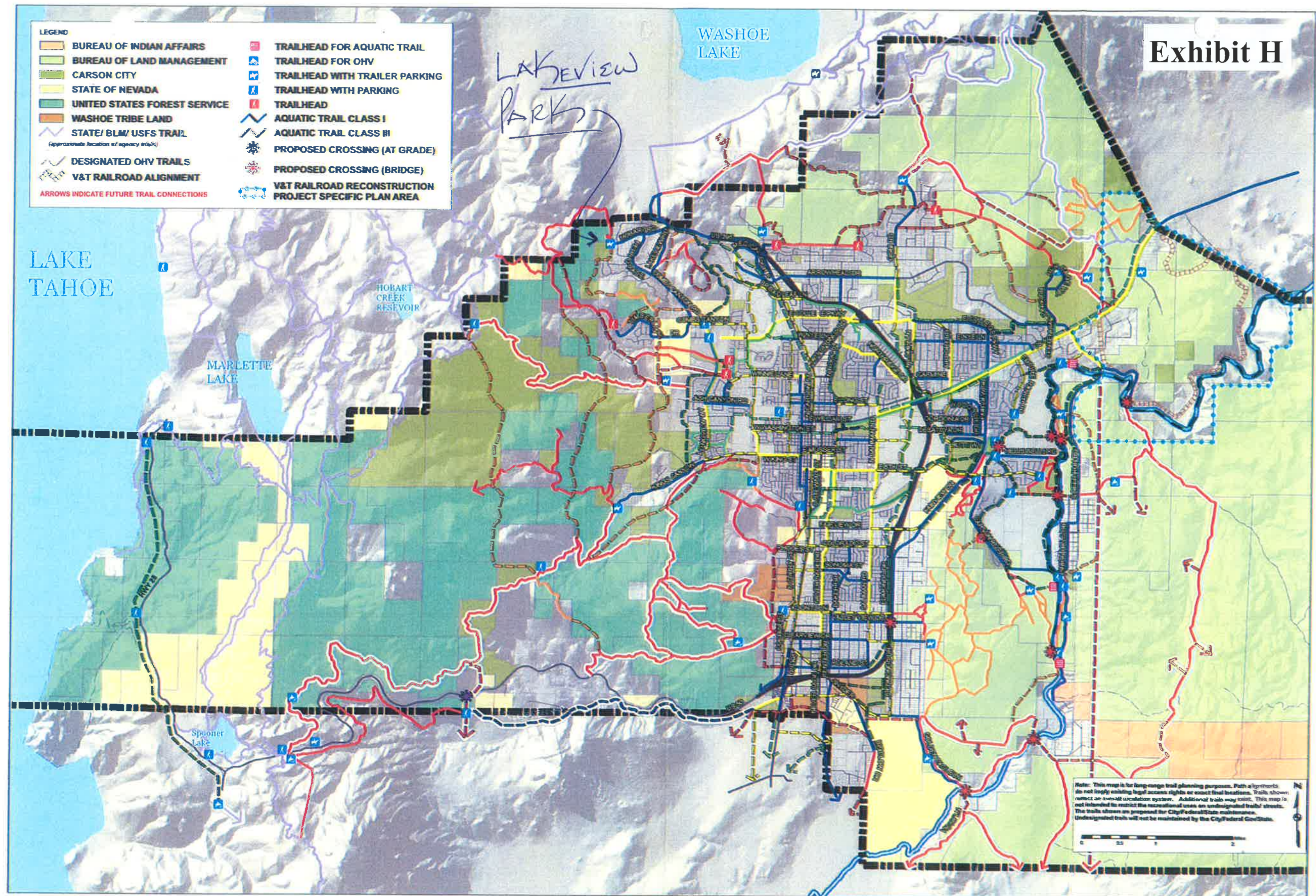
- ❧ **Rules and Regulations:** Rules and regulations should be located at all trailheads. The regulations should include trail etiquette, trash pickup, animal waste clean up, warnings about potential safety hazards, and which uses are permitted in the area.
- ❧ **Trash Cans:** By providing a number of conveniently located trash cans, the amount of litter along Carson City’s pathways can be greatly decreased. Trash cans should be located at all City-maintained trailheads. They should also be placed along the heavily used pathways located within the City’s urban area.
- ❧ **Dog Waste Disposal Stations:** One of the most effective ways to decrease the amount of dog waste along pathways is by providing dog waste stations. On pathways where dogs are allowed, dog waste stations should be provided at all trailheads. They should also be provided along pathways located within the City’s

urban area.

- ☒ **Shade Structures with Benches:** Shade structures offer relief from the summer sun and shelter from inclement weather. Where possible, shade structures should be located at the trailheads of heavily utilized trails. The City may also wish to consider placing smaller shade structures along some of its heavily utilized urban pathways.
- ☒ **Lighting:** In areas likely to receive use at night, pathway lighting helps users avoid conflicts at intersections and allows users to better observe trail direction, surface conditions, and obstacles. Lighting can also increase the sense of security along a pathway. Lighting use may vary from no lighting on rural soft surface trails to full coverage lighting in promenade areas.
- ☒ **Restrooms:** A number of Carson City's trails are located in the outskirts of the City, away from restroom facilities. The City should do a demonstration project to test the level of use and service costs of temporary restrooms at the trailheads of its heavily used trails.

9.3 OFF-STREET TRAILS POLICIES

1. Off-street trails shall be designed for multiple uses unless constrained by available land (steepness, ROW width), incompatible adjacent land uses, the comfort and safety of users, or environmental considerations dictate restricted uses. OHV usage shall be on designated trails only.
2. In creating recreational trails, off-street paths are strongly preferred over on-street bike lanes.
3. The City supports the continued designation and use of areas for specific forms of non-automobile usage. An example is the portion of Prison Hill designated for non-motorized use.
4. Horses are allowed on all streets in Carson City. However, in some areas of the City with significant horse ownership, equestrian routes may be signed to alert drivers and other users.
5. The trailhead symbols on the UPMP are inclusive of those below. That is, OHV trail heads include equestrians and other trail users. Equestrian trailheads exclude OHV use, but include parking for hikers, bikes, etc. Pedestrian trail heads exclude OHV and equestrian use. Walk-to trail heads exclude any kind of vehicle parking.
6. In order to impact the least amount of private property possible, off-street trails should generally be aligned along property lines or in locations compatible with existing or proposed land uses, so long as the intent of the pathways system is accomplished.
7. Carson City may periodically close trails for rehabilitation of trails, sensitive lands, and watersheds.



UNIFIED PATHWAYS MASTER PLAN

CARSON CITY
NEVADA



Vern Krahn - Lakeview Park - Possible Project Contributions

From: Vern Krahn
To: Scott Dutcher
Date: 9/23/2010 10:38 AM
Subject: Lakeview Park - Possible Project Contributions
CC: Ann Bollinger; 'Beth Kauffmann'; connielou@prodigy.net; Darren Schulz; Jennifer Pruitt; Juan Guzman; Larry Werner; Lee Plemel; michaelieleah@att.net; Roger Moellendorf; Scott Fahrenbruch; Tom Grundy; Vern Krahn

Scott.....

Thank you for this e-mail confirming your organizations' commitment to Lakeview Park and this Trailhead Parking Conceptual Plan. I will be sure to forward your comments to the Parks and Recreation Commission members for their review prior to their Tuesday, October 5, 2010 meeting.

VERN

>>> "Scott Dutcher" <scottdutcher1@gmail.com> 9/23/2010 10:07 AM >>>

Vern,

Yes, yes, and yes.

The Nevada All-State Trail Riders remains committed to the Lakeview Park Trailhead project. We have been working towards next month's meeting for nearly 13 years, and despite my frustration with the process, frequent bouts of hopelessness, the oppressive desire to surrender, our group has not changed its position.

The Nevada All State Trail Riders, Inc, (NASTR) offers the City \$10,000 raised in private donations as seed money to implement the City's plans for establishing the most basic component of a natural park: parking; NASTR offers the services of its volunteer members to provide ongoing maintenance of the proposed parking area and existing trail (Hobart Rd); and NASTR offers the City a \$5,000 grant from the American Endurance Ride Conference (AERC), which NASTR has obtained for this specific project. NASTR suggests the improvement of the existing multi-use (non-motorized) trail head as follows: relocation of the property access gate to another on-site location thereby providing for, yet restricting, vehicle access; construction of a gravel access road in a single loop configuration, wide enough to accommodate trucks and horse trailers; improvement of the City's road shoulder on Hobart Rd for parallel parking; placement of trash receptacles; and, construction of a trailhead kiosk. NASTR has been a responsible corporate citizen since 1968, and offers to contribute substantially, with both financial assistance and in-kind service for ongoing trails maintenance, to the quality of our local parks and recreational opportunities, through the implementation of this project.

It has occurred to me lately that a great deal of the opposition to this plan comes from the fact that the Nevada All-State Trail Riders (a non-profit equestrian group, whose purpose is to maintain access to historic trails) has offered to help fund the improvements. Our group was established in 1967 (a year after the City acquired this property for use as a park) for the purpose of preserving historic trails in Nevada by sponsoring and promoting horse back riding on these trails. Our goals are responsible, philanthropic, and community-oriented. We have been fortunate to have received several large donations, and have seen fit to earmark funds for this project. Use of this road for multi-use access has been regular and consistent, and predates all current property ownership, uses, and development. Our support of this project has been specifically intended to benefit the multi-use aspect of the park, not simply to benefit our own equestrian members. If we believed that by

withdrawing our support, in all its forms, the park improvements would stand a better chance of becoming a reality, we would do so immediately. Because we understand that our society is based on government by the people and for the people, it is therefore not a 'spectator sport' in which we can simply observe others and hope they will do what we desire. We intend to continue working closely with you, the rest of the city staff and officials, as well as the residents of the Lakeview area, and other stakeholders regardless of where they live, to preserve this trail, and to do so by ensuring that it's use is well managed.

Please feel free to forward this message to other interested parties.

Scott Dutcher, Nevada All-State Trail Riders.

From: Vern Krahn [mailto:VKrahn@carson.org]
Sent: Thursday, September 23, 2010 7:56 AM
To: scottdutcher1@gmail.com
Cc: Roger Moellendorf; Scott Fahrenbruch; Tom Grundy
Subject: Lakeview Park - Possible Project Contributions

Scott.....

One of the questions City staff believes will we get asked at the Parks and Recreation Commission is "What is this project going to cost ?" At one point in this process, there was discussion about the Nevada All-State Trail Riders and/or the equestrian community providing some funds to assist the City offset project costs. Is that still a possibility ???

Also, there are other ways the equestrian community could assist us with this project;

- 1) Work days to construct some of the trailhead improvements
 - 2) Adopt-a-Park Program
 - 3) Trail maintenance in Lakeview Park
- to name a few ideas.....

As you prepare your comments and presentation to the Parks and Recreation Commission it might be a good idea to address these thoughts.
 Thanks !!!

VERN

Vern L. Krahn
 Park Planner
 Carson City Parks & Recreation Department
 3303 Butti Way, Building #9
 Carson City, NV 89701
 Tel: (775) 887-2262 x 30343
 Fax: (775) 887-2145
 Email: vkrahn@ci.carson-city.nv.us

Vern Krahn - Lakeview Park Trailhead

From: Jeff Potter <6dogs@pyramid.net>
To: Vern Krahn <vkrahn@carson.org>
Date: 1/11/2011 5:05 PM
Subject: Lakeview Park Trailhead

Hello Vern,

Thank you for all the hard work that you and the Parks & Rec staff have committed to the Lakeview Park Trailhead project. I believe a facility at this location will immensely improve the quality of life for the residents and visitors to Carson City, and will also relieve the current tensions between homeowners and the equestrian community.

I fully support the Lakeview Park Trailhead plan.

Thank you,
Jeff Potter
Mountain Biker, Hiker, Runner, and Muscle Powered Board Member

Page 1 of 1

Vern Krahn - Lakeview Trailhead

From: "Chas Macquarie" <chasmacq@sbcglobal.net>
To: <vkrahn@carson.org>
Date: 1/11/2011 8:38 PM
Subject: Lakeview Trailhead

Dear Vern,

I am writing to support the approval and construction of a trailhead facility at the west end of Hobart Road. I use the Hobart Road on a regular basis for hiking and mountain biking, and improving the parking and turn-around will be a big benefit to users of the trail. The low level improvements in the current proposal are, in my opinion, long overdue.

Sincerely,

Chas Macquarie
Trail user and member of Muscle Powered

Vern Krahn - Lakeview Park trailhead

From: Donna Inversin <d_inversin@yahoo.com>
To: <VKrahn@carson.org>, <scottdutcher1@gmail.com>
Date: 1/11/2011 11:32 AM
Subject: Lakeview Park trailhead

Dr. Mr. Krahn:

As a member and Secretary/Walk Leader of Muscle Powered and also as an outings leader for the Great Basin Chapter of Sierra Club I support the Carson City Parks & Recreation Commission's conceptual plan for the development of a multi-use trailhead and parking improvements at the unimproved Lakeview Park, located at the western end of Hobart Road in the northwest corner of Carson City. This trailhead will provide important access to the National Forest, State Park and the Tahoe Rim Trail.

Happy Trails

Donna N. Inversin



Cell 775.315.6763

d_inversin@yahoo.com

"Our destiny changes with our thoughts; we shall become what we wish to become, do what we wish to do, when our habitual thoughts correspond with our desires." Orison Sweet Marden

Vern L. Krahn
Park Planner
Carson City Parks and Recreation Department

RECEIVED

SEP 27 2010

Dear Mr. Krahn,

CARSON CITY PARKS DEPT.

My name is Michael Tristram. I have lived in Washoe Valley , Nevada since 1974. I have ridden my horses in the Sierra Nevada since 1974 using the Lakeview Trailhead. I have always pulled a four horse trailer and have always had to back the trailer out of the trailhead. So far I've had motorists patiently wait until I could get turned around to leave. A revised trailhead configuration would end the inconvenience of disrupting traffic to turn a horse trailer around to leave this trailhead.

The proposed trailhead configuration would end this problem. If signs were posted regarding clean up, I think the new trailhead would be an asset to the neighborhood.

I am the current President of the Nevada All State Trail Riders (NASTR). As a group NASTR would be available for clean up and maintenance events. We currently maintain the Jones Creek/ Whites Creek trail in Washoe County. On August 1st, 2010 our group worked on the Jones Creek/ Whites trail and restored the trail in several places on the 9 mile loop.

The Lakeview trailhead gives access to some of the most scenic areas of the Sierras in the state of Nevada. I hope to be able to enjoy these beautiful areas from this trailhead in the future. Thank you.

Sincerely,



Michael Tristram

From: "Scott Dutcher" <scottdutcher1@gmail.com>
To: "'Vern Krahn'" <VKrahn@carson.org>
Date: 9/30/2010 11:53 AM
Subject: lakeview support
Attachments: Support.pdf

Vern,

Here again are the letters of support from the Visitors and Convention Bureau (clearly it is NOT the policy of the City to support projects based upon the weight of service provided to local citizens vs visitors); the American Discovery Trail (a Project of The American Hiking Society, which uses Lakeview Park as a trailhead on its coast-to-coast trail); and the Carson Valley Arabian Horse Association.

You realize that we have been working for many years to make these very minor improvements to this park, and I hope you and the Commission will appreciate that we cannot solicit a new letter of support from each group every year: in addition to these specific letters of support, we have also received expressions of support from:

- . American Endurance Ride Conference
- . American Discovery Trail Society
- . Nevada Division of State Parks
- . Tahoe Rim Trail Association
- . Carson Valley Trails Association
- . Tahoe Mountain Milers & Sagebrush Stompers Running Clubs
- . Sierra Front Recreation Coalition
- . Back Country Horsemen of Nevada, Carson Valley Chapter
- . Carson Valley Arabian Horse Association
- . Carson City Convention & Visitors Bureau
- . US Forest Service, Humboldt-Toiyabe National Forest, Carson Ranger District
- . Northern Nevada Gaited Horse Club

Thank you,
Scott Dutcher

AMERICAN DISCOVERY TRAIL



A Project of The American Hiking Society

October 22, 2009

Carson City Parks and Recreation Commission
RE: November 3, 2009 Adjenda, Lakeview Park

Gentlemen:


This letter is in support of the planned improvement to the Trailhead at the west end of Holbart Road at Lakeview Park..

I am informed that Nevada Allstate Trail Riders is proposing to support this improvement. This will allow for vehicle parking at this trailhead.

The American Discovery Trail uses this site as a trailhead. This trail crosses the United States from Cape Henlopen, Delaware to Point Reyes, California.

The improvement of this trailhead is important to all trail users as well as Carson City as a municipality.

Sincerely


Dale Ryan
Nevada State Coordinator
American Discovery Trail

cc: Nevada Allstate Trail Riders
Scott Dutcher
1310 South Dear Run Road
Carson City, Nevada - 89701

LEO M. DROZDOFF, P.E.
Acting Director

**Department of Conservation and
Natural Resources**

DAVID K. MORROW
Administrator

Northern Region Office
16799 Lahontan Dam
Fallon, NV 89406
Phone: (775) 867-3001
Fax: (775) 867-4559

Southern Region Office
4747 Vegas Drive
Las Vegas, NV 89108
Phone: (702) 486-5126
Fax: (702) 486-5186

JIM GIBBONS
Governor

STATE OF NEVADA



**DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF STATE PARKS**

Address Reply to:

**901 S. Stewart Street,
Suite 5005
Carson City, NV 89701-5248**

**Phone: (775) 684-2770
Fax: (775) 684-2777
stparks@parks.nv.gov
<http://parks.nv.gov>**



September 27, 2010

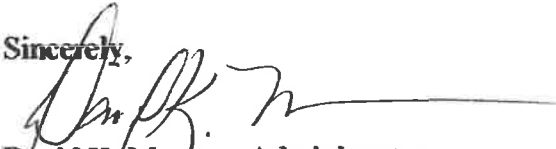
Vern L. Krahn
Park Planner
Carson City Parks & Recreation Department
3303 Butti Way, Building #9
Carson City, NV 89701

Dear Mr. Krahn:

The Nevada Division of State Parks (NDSP) wishes to express its support for the Carson City Parks & Recreation Commission's conceptual plan for the development of a multi-use trailhead and parking improvements at the unimproved Lakeview Park, located at the western end of Hobart Road in the northwest corner of Carson City. This trailhead will provide important recreational access to the Humbolt-Toiyabe National Forest, nearly 14,000 acres of Lake Tahoe Nevada State Park, fishing at Hobart Reservoir, and the Tahoe Rim Trail.

If you have any questions regarding the above, please do not hesitate to contact me at any time.

Sincerely,


David K. Morrow, Administrator
Nevada Division of State Parks



TAHOE RIM TRAIL
ASSOCIATION

"a trail like no other"

December 6, 2010

**Vern L. Krahn
Park Planner
Carson City Parks & Recreation Department
3303 Batti Way, Building #9
Carson City, NV 89701**

Dear Mr. Krahn,

The Tahoe Rim Trail Association (TRTA) would like to lend our support for the Carson City Parks and Recreation Commission's plan for the development of the multi-use trailhead and parking improvements at the unimproved Lakeview Park located on Hobart Road.

This trailhead and parking will provide much needed improvements to a popular access point for many recreation users heading up to the Tahoe Rim Trail.

If you have any questions, please feel free to contact me at 775-298-0233.

Member of the
Parasol Community
Collaboration



Sincerely,

Mary C. Bennington
**Mary C. Bennington
Executive Director**

948 Incline Way
Incline Village, NV 89451

775.298.0012
fax 775.298.0013

info@tahoerimtrail.org
www.tahoerimtrail.org

**Back Country Horsemen of Nevada
Carson Valley Chapter
P O Box 4444, Carson City, Nevada 89702**

MISSION STATEMENT, BACK COUNTRY HORSEMEN of AMERICA

1. Perpetuate the common sense use and enjoyment of horses in America's backcountry and wilderness, work to insure that public land remains open to recreational stock use.
2. Assist various government and private agencies in their maintenance and management of said resources.
3. Educate, encourage, and solicit active participation in the wise and sustaining use of backcountry resources by horsemen and the general public.
4. Foster and encourage the formation of new state Back Country Horsemen organizations.

To: Vern Krahn

Park Planner

Carson City Parks & Recreation Department

Subject: Lakeview Park (Trailhead Parking Conceptual Plan) – Equestrian Response

In keeping with our Mission Statement to "ensure access to Public Land", we the Back Country Horsemen of Nevada Carson Valley Chapter, would like to express our support of the proposed Lakeview Trailhead conceptual plan. We, too, recognize the compromises which this Draft incorporates, and support the proposed improvements presented there.

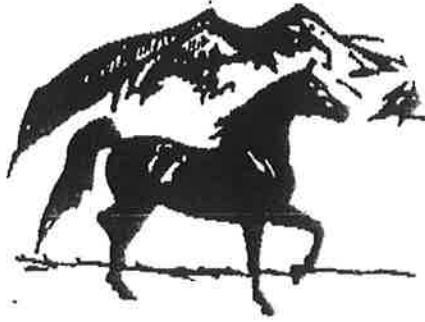
We look forward to contributing to the continued development and timely construction of this Park, and will attend Parks and Recreation Commission meetings at which we can further voice our support of this project.

Thank you,

Patty Hill,
Secretary

Back Country Horsemen of Nevada Carson Valley Chapter.
www.bchn.us

CARSON VALLEY ARABIAN
HORSE ASSOCIATION



10/02/2008

TO: Nevada All State Trail Riders Association

RE: Lakeview Trailhead Project

Carson Valley Arabian Horse Association is made up of a group of Arabian horse owners that enjoy trail riding in addition to showing and endurance riding.

We sponsor an "all breed trail ride" every month and this year have ridden in places from Red Rock, north to Charity Valley, south. We would love to support a trailhead in Lakeview. That area offers many opportunities for day rides in and around the mountains of the Washoe Valley and the east side of the Lake Tahoe area by Marlette Lake.

Add us to your list of trailhead supporters and keep us informed on how we can help you get this project started and completed.

Sincerely,

Megan Gebhardt, President

Carson Valley Arabian Horse Association

gebassoc@charter.net or (775) 790-4251



CONVENTION & VISITORS BUREAU

October 28, 2009

Parks and Recreation Commission
Re: Trail Head Access at Lakeview Park

I would like to add my support to the development of a trail head at Lakeview Park.

I have recently learned that Hobart Road becomes a dirt road on this property, and is a very popular point of recreational access as it leads through the Humbolt-Toiyabe National Forest and the back country areas of the Lake Tahoe Nevada State Park, the Hobart Reservoir, and the Tahoe Rim Trail. The American Discovery Trail, which stretches across the United States from Point Reyes, California to Cape Henlopen, Delaware, uses this site as a trail head.

Access to the trail system is very important to Carson City Tourism as we are continually working to provide a varied menu of activities to our visitors. Not a day passes that we are not asked about hiking and biking trails in our area. The Tahoe Rim Trail is famous world wide and we need to be able to make the access to this important trail as visitor friendly as possible.

I urge you to support the development of Lakeview Park into an accessible trailhead for our citizens as well as our visitors.

Sincerely,

Candace Duncan
Executive Director

1900 South Carson Street
Suite 100
Carson City, NV 89701
1-800-NEVADA-1
775-687-7410
Fax 687-7416
www.visitcarsoncity.com

TOUR, TASTE, PLAY, STAY.



December 6, 2010

Vern L Krahn
Park Planner
Carson City Parks & Recreation
3303 Butti Way #9
Carson City, NV 89701
vkrahn@carson.org

Dear Mr. Krahn,

The Northern Nevada Gaited Horse Club is in support of the development and improvements of the Lakeview Park at the west end of Hobart Road. I feel this would be a wonderful asset to Carson City, as it would provide a much needed access to the Humboldt-Toiyabe National Forest. I feel it is extremely important to create some type of access for equestrians into this area.

The current unimproved parking area is very difficult to park in for horse trailers. I have personally ridden there several times a year and have been for the last 20 years with my family. If there are more than 2 horse trailers in the current site, the parking is pushed down the street towards the residence. I feel that creating a slightly more improved parking area would keep the vehicle traffic away from the homeowner's properties. If a sign is posted to carry out your manure & trash, the area would remain clean.

I thank you for your consideration of improving upon the existing area and in taking into consideration the needs for equestrians.

Sincerely,

Sarah Dockins
Secretary,
Northern Nevada Gaited Horse Club

SPECIAL USE PERMIT APPLICATION QUESTIONNAIRE

Source: CCMC 18.02.080. (1) The Planning Commission, and possibly the Board of Supervisors, in reviewing and judging the merit of a proposal for a Special Use Permit shall direct its considerations to, and find that in addition to other standards in this title, the following conditions and standards are met:

Question 1. How will the proposed development further and be in keeping with, and not contrary to, the goals of the Master Plan Elements?

Answer: Development of Lakeview Park is identified in both the Parks and Recreation Master Plan (PRMP) and the Unified Pathways Master Plan (UPMP). The PRMP states, “Develop Lakeview Park to include natural amenities.” (Refer to Exhibit F) The UPMP map identifies Lakeview Park with a trailhead with trailer parking for equestrian use (Refer to Exhibit G and H). The UPMP in Chapter 9.2.3 Trailheads notes, “Parking at these trailheads consists of a small parking lot that is large enough to accommodate the parking and maneuvering of horse trailers.” Elsewhere in the section, the UPMP lists site amenities that should be installed at the facility. The proposed plan is providing an informational kiosk, rules and regulation signage, bear-proof trash receptacle, dog waste (Mutt – Mitt) disposal stations, split rail wood fence, traffic control boulders, and various types of access gates. At the request of the adjacent neighbors and a number of other Lakeview Subdivision residents, our department did not include shade structures with benches, lighting, restrooms, or picnic tables. Also, the vehicle turn-around will be constructed with gravel instead of being paved over with asphalt.

Explanation A. Turn to the Master Plan Policy Checklist. The Master Plan Policy Checklist for Special Use Permits and Major Project Reviews address five items that appear in the Carson City Master Plan. Each theme looks at how a proposed development can help achieve the goals of the Carson City Master Plan. Address each theme; a check indicates that the proposed development meets the applicable Master Plan Policy. In your own words provide written support of the policy statement. You may want to acquire a free CD or purchase a paper copy of the Master Plan from the Planning Division, or review the copy in the Planning Office or in the reference section of the Ormsby Public Library on Roop Street, or use our website at www.carson.org

Question 2. Will the effect of the proposed development be detrimental to the immediate vicinity? To the general neighborhood?

Answer: The project will have a positive impact to the adjacent, immediate, and general neighborhood by removing all unwanted parking off of Mr. Bickett's property and providing a safer public parking facility. The general neighborhood would not experience any detrimental impacts because the existing uses at the park will not change as a result of this project.

Explanation A. Describe the general types of land uses and zoning designations adjoining your property (for example: North: two houses, Single-Family 12,000 zoning; East: restaurant, Retail Commercial zoning; West: undeveloped lot, Retail Commercial zoning; South: apartment complex, Retail Commercial zoning).

Answer:

North: USFS Property within Washoe County
East: Single Family - 2 Acre
South: Single Family - 2 Acre / USFS Property (to be transferred to Carson City as a part of the Federal Lands Bill)
West: USFS Property (to be transferred to Carson City as a part of the Federal Lands Bill)

B. Explain why your project is similar to existing development in the neighborhood, and why it will not hurt property values or cause problems, such as noise, dust, odors, vibration, fumes, glare, or physical activity, etc. with neighboring property owners. Will the project involve any uses that are not contained within a building? If yes, please describe. If not, state that all uses will be within a building. Explain how construction-generated dust (if any) will be controlled. Have other properties in your area obtained approval of a similar request? How will your project differ in appearance from your neighbors? Your response should consider the proposed physical appearance of your proposal, as well as comparing your use to others in the area.

Answer: Lakeview Park is City owned property. It has been undeveloped for many years, and has no facilities in place for recreational users. Also, the City does not provide any on-going maintenance services at the property because there are no existing facilities. After the Waterfall Fire in 2004, our department's Open Space Program began a reforestation effort to plant evergreen seedlings to establish new trees. The proposed project will not hurt neighborhood property values. Many studies across the country have shown that trails, open space, and parks have a positive impact on property values. Due to the project's limited development aspects and no increase to on-going uses, there should be no additional problems related to noise, dust, odors, vibration, fumes, glare, or physical activities for adjacent property owners. The City's Public Works Department will limit the project's construction impacts, will be responsible for dust control, and will take every step necessary to install the turn-around area without removing any existing mature trees.

C. Provide a statement explaining how your project will not be detrimental to the use, peaceful enjoyment or development of surrounding properties and the general neighborhood.

Answer: Currently, the Hobart Road right-of-way is the parking area for access to non-motorized trails from Lakeview Park. Vehicles and horse trailers park randomly on both sides of the street and on Mr. Walter

Bickett's property to the north. Due to space limitations, horse trailers in particular occasionally have to back down Hobart Road onto Numaga Pass causing a public safety concern. The proposed plan lessens the impact on the neighborhood and surrounding properties by providing a safe gravel turn-around within the park, an organized parking area for both horse trailers and other vehicles, and eliminates illegal parking on Mr. Walter Bickett's property.

- D. Consider the pedestrian and vehicular traffic that currently exists on the road serving your project. What impact will your development have when it is successfully operating? Will vehicles be making left turns? Will additional walkways and traffic lights be needed? Will you be causing traffic to substantially increase in the area? What will be the emergency vehicle response time? State how you have arrived at your conclusions. What City department have you contacted in researching your proposal? Explain the effect of your project with the existing traffic in the area.

Answer: The project is the development of a trailhead facility at Lakeview Park in a residential neighborhood. The pedestrian and vehicular traffic which currently comes to the park's entrance is limited by the available space in the Hobart Road's right-of-way. The proposed improvements should not increase either the pedestrian or vehicular traffic in the neighborhood. In fact, the project should make the parking area safer and provide a more organized layout for vehicles, including equestrian trailers.

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

Answer: The project's short-range benefits will be to address a public safety issue and remove parking from an adjacent private property owner. The project's long-range benefits to the people of Carson City includes a well designed recreational facility at Lakeview Park, including trailhead improvements.

- Question 3. Has sufficient consideration been exercised by the applicant in adapting the project to existing improvements in the vicinity?

Answer: Yes, over the past year and half our department has been working with Lakeview Park residents, adjacent property owners, and equestrian advocates to develop the proposed site plan. The adjacent property owners requested that no vehicle or trailer parking be allowed in the park and all random parking on Mr. Walter Bickett's property be removed. The proposed plan complies with their request.

Explanation A. How will your project affect the school district? Will your project add to the student population or will it provide a service to the student population? How will your project affect the Sheriff's Office?

Answer: This project will not affect the school district or add to the student population. Also, the project will not negatively affect the Sheriff's Office because the Parks and Recreation Department is not proposing any additional uses than what is currently existing either in the park or within the Hobart Road right-of-way. Our department also has a park ranger coordinating with the City's dispatch and Sheriff's operations who can respond to various service calls to assist the public.

B. If your project will result in the covering of land area with paving or a compacted surface, how will drainage be accommodated? Talk to Engineering for the required information.

Answer: The project is not proposing any asphalt paving. There will be a gravel turn-around installed within the park at the end of Hobart Road to assist with traffic circulation and public safety. Storm water flows from the park site will be captured in a drainage swale and directed around the turn-around area and back into the Hobart Road right-of-way. No storm water will be directed onto private properties. Refer to the Project Impact Reports for additional information.

C. Are the water supplies serving your project adequate to meet your needs without degrading supply and quality to others in the area? Is there adequate water pressure? Are the lines in need of replacement? Is your project served by a well? Talk to Public Works for the required information.

Answer: The project does not require any City water services.

D. Is there adequate capacity in the sewage disposal trunk line that you will connect to in order to serve your project, or is your site on a septic system? Please contact Public Works for the required information.

Answer: The project does not require any City sewer services.

E. What kind of road improvements are proposed or needed to accommodate your project? Have you spoken to Public Works or Regional Transportation regarding road improvements?

Answer: As proposed, the project will require only minor modifications to the Hobart Road right-of-way. Our department has spoken with Tom Grundy, P.E., at the Public Works Department and he has approved all the modifications.

- F. Indicate the source of the information that you are providing to support your conclusions and statements made in this packet (private engineer, Public Works, Regional Transportation, title report, or other sources).

Answer: The sources of information that are provided in this Special Use Permit Application were provided by City staff. Lee Plemel, Planning Director; Vern L. Krahn, Park Planner; Juan F. Guzman, Open Space Manager; and Tom Grundy, P.E.

- G. If outdoor lighting is to be a part of the project, please indicate how it will be shielded from adjoining property and the type of lighting (wattage/height/placement) provided.

Answer: The project does not have any type of outdoor lighting. The park will be operated as a dawn to dusk facility.

- H. Describe the proposed landscaping, including screening and arterial landscape areas (if required by the zoning code). Include a site plan with existing and proposed landscaping shown on the plan which complies with City ordinance requirements.

Answer: The project does not have any proposed irrigated landscaping. During project construction, site disturbances will be kept to a minimum and our department will re-vegetate any disturbed areas with a dry-land seed mix. Also, our department has planted a large number of Jeffery Pine at the site, as a reforestation effort after the waterfall fire.

- I. Provide a parking plan for your project. If you are requesting approval for off-site parking within 300 feet, provide site plans showing (1) parking on your site, (2) parking on the off-site parking lot, and (3) how much of the off-site parking area is required for any business other than your own. Design and dimensions of parking stalls, landscape islands, and traffic aisles must be provided.

Answer: The site plan identifies the proposed parking layout for the project site. There will be no parking allowed within the park. Equestrian trailer parking will be located at the parking area's west end and vehicle parking will be allowed at the parking area's east end.

ACKNOWLEDGMENT OF APPLICANT

I certify that the forgoing statements are true and correct to the best of my knowledge and belief. I agree to fully comply with all conditions as established by the Planning Commission. I am aware that this permit becomes null and void if the use is not initiated within one-year of the date of the Planning Commission's approval; and I understand that this permit may be revoked for violation of any of the conditions of approval. I further understand that approval of this application does not exempt me from all City code requirements.



Applicant- Larry Werner, City Manager

Date

1/5/11

Master Plan Policy Checklist

Special Use Permit, Major Project Review & Administrative Permits

PURPOSE

The purpose of a development checklist is to provide a list of questions that address whether a development proposal is in conformance with the goals and objectives of the 2006 Carson City Master Plan that are related to non-residential and multi-family residential development. This checklist is designed for developers, staff, and decision-makers and is intended to be used as a guide only.

Development Name: Lakeview Park Trail Head

Reviewed By: Vern L. Krahn

Date of Review: January 13, 2011

DEVELOPMENT CHECKLIST

The following five themes are those themes that appear in the Carson City Master Plan and which reflect the community's vision at a broad policy level. Each theme looks at how a proposed development can help achieve the goals of the Carson City Master Plan. A check mark indicates that the proposed development meets the applicable Master Plan policy. The Policy Number is indicated at the end of each policy statement summary. Refer to the Comprehensive Master Plan for complete policy language.

CHAPTER 3: A BALANCED LAND USE PATTERN



The Carson City Master Plan seeks to establish a balance of land uses within the community by providing employment opportunities, a diverse choice of housing, recreational opportunities, and retail services.

Is or does the proposed development:

- ☐ Meet the provisions of the Growth Management Ordinance (1.1d, Municipal Code 18.12)?
- ☐ Use sustainable building materials and construction techniques to promote water and energy conservation (1.1e, f)?
- ☐ Located in a priority infill development area (1.2a)?
- ☒ Provide pathway connections and easements consistent with the adopted Unified Pathways Master Plan and maintain access to adjacent public lands (1.4a)?
- ☒ Protect existing site features, as appropriate, including mature trees or other character-defining features (1.4c)?

- ☒ At adjacent county boundaries or adjacent to public lands, coordinated with the applicable agency with regards to compatibility, access and amenities (1.5a, b)?
- ☐ In identified Mixed-Use areas, promote mixed-use development patterns as appropriate for the surrounding context consistent with the land use descriptions of the applicable Mixed-Use designation, and meet the intent of the Mixed-Use Evaluation Criteria (2.1b, 2.2b, 2.3b, Land Use Districts, Appendix C)?
- ☒ Meet adopted standards (e.g. setbacks) for transitions between non-residential and residential zoning districts (2.1d)?
- ☐ Protect environmentally sensitive areas through proper setbacks, dedication, or other mechanisms (3.1b)?
- ☐ Sited outside the primary floodplain and away from geologic hazard areas or follows the required setbacks or other mitigation measures (3.3d, e)?
- ☐ Provide for levels of services (i.e. water, sewer, road improvements, sidewalks, etc.) consistent with the Land Use designation and adequate for the proposed development (Land Use table descriptions)?
- ☐ If located within an identified Specific Plan Area (SPA), meet the applicable policies of that SPA (Land Use Map, Chapter 8)?

CHAPTER 4: EQUITABLE DISTRIBUTION OF RECREATIONAL OPPORTUNITIES



The Carson City Master Plan seeks to continue providing a diverse range of park and recreational opportunities to include facilities and programming for all ages and varying interests to serve both existing and future neighborhoods.

Is or does the proposed development:

- ☒ Provide park facilities commensurate with the demand created and consistent with the City's adopted standards (4.1b)?
- ☒ Consistent with the Open Space Master Plan ~~and Carson River Master Plan~~ (4.3a)?

CHAPTER 5: ECONOMIC VITALITY



The Carson City Master Plan seeks to maintain its strong diversified economic base by promoting principles which focus on retaining and enhancing the strong employment base, include a broader range of retail services in targeted areas, and include the roles of technology, tourism, recreational amenities, and other economic strengths vital to a successful community.

Is or does the proposed development:

- ☐ Encourage a citywide housing mix consistent with the labor force and non-labor force populations (5.1i)
- ☐ Encourage the development of regional retail centers (5.2a)
- ☐ Encourage reuse or redevelopment of underused retail spaces (5.2b)?
- ☒ Support heritage tourism activities, particularly those associated with historic resources, cultural institutions and the State Capitol (5.4a)?
- ☐ Promote revitalization of the Downtown core (5.6a)?

- ☐ Incorporate additional housing in and around Downtown, including lofts, condominiums, duplexes, live-work units (5.6c)?

CHAPTER 6: LIVABLE NEIGHBORHOODS AND ACTIVITY CENTERS



The Carson City Master Plan seeks to promote safe, attractive and diverse neighborhoods, compact mixed-use activity centers, and a vibrant, pedestrian-friendly Downtown.

Is or does the proposed development:

- ☐ Use durable, long-lasting building materials (6.1a)?
- ☐ Promote variety and visual interest through the incorporation of varied building styles and colors, garage orientation and other features (6.1b)?
- ☐ Provide variety and visual interest through the incorporation of well-articulated building facades, clearly identified entrances and pedestrian connections, landscaping and other features consistent with the Development Standards (6.1c)?
- ☐ Provide appropriate height, density and setback transitions and connectivity to surrounding development to ensure compatibility with surrounding development for infill projects or adjacent to existing rural neighborhoods (6.2a, 9.3b 9.4a)?
- ☐ If located in an identified Mixed-Use Activity Center area, contain the appropriate mix, size and density of land uses consistent with the Mixed-Use district policies (7.1a, b)?
- ☐ If located Downtown:
 - ☐ Integrate an appropriate mix and density of uses (8.1a, e)?
 - ☐ Include buildings at the appropriate scale for the applicable Downtown Character Area (8.1b)?
 - ☐ Incorporate appropriate public spaces, plazas and other amenities (8.1d)?
- ☐ Incorporate a mix of housing models and densities appropriate for the project location and size (9.1a)?

CHAPTER 7: A CONNECTED CITY



The Carson City Master Plan seeks promote a sense of community by linking its many neighborhoods, employment areas, activity centers, parks, recreational amenities and schools with an extensive system of interconnected roadways, multi-use pathways, bicycle facilities, and sidewalks.

Is or does the proposed development:

- ☐ Promote transit-supportive development patterns (e.g. mixed-use, pedestrian-oriented, higher density) along major travel corridors to facilitate future transit (11.2b)?
- ☐ Maintain and enhance roadway connections and networks consistent with the Transportation Master Plan (11.2c)?
- ☒ Provide appropriate pathways through the development and to surrounding lands, including parks and public lands, consistent with the Unified Pathways Master Plan (12.1a, c)?

MEMORANDUM

Date: January 10, 2011
To: Jennifer Pruitt, Principal Planner
Subject: Lakeview Park Trail Head Project
Project Impact Report

Municipal Water System

The project will not connect to the municipal water system, therefore no impact to the municipal water system is anticipated.

Municipal Sewer System

The project will not connect to the municipal sewer system, therefore no impact to the municipal sewer system is anticipated.

Storm Drain

No increase in impervious area is proposed as a part of this project, therefore the quantity of runoff leaving the site is not expected to change.

Traffic

The site is currently being utilized as a trailhead for hikers, bicyclists and equestrians. Increases in traffic are expected to be minimal. Additionally, the parking improvements are designed to eliminate vehicle parking on neighboring properties by containing parking within the public right of way. The turn around area will eliminate the need for vehicles with trailers to back up along Hobart Road and turn around at Numaga Pass Road. By eliminating the need for vehicles to back up along Hobart Road, the potential for accidents is reduced.