



# STAFF REPORT

**Report To:** Board of Supervisors

**Meeting Date:** January 3, 2019

**Staff Contact:** Heather Ferris, Associate Planner

**Agenda Title:** For Possible Action: To adopt Bill No. 125, on second reading, an ordinance approving a change of zoning for a 119.1 acre site from General Industrial to Single Family 6,000 for approximately 68.3 acres; Multi-family Apartment for approximately 18.0 acres; General Commercial for approximately 13.9 acres; and Public Regional for approximately 18.9 acres, for property located southeast of US Highway 50 and north east of Deer Run Road, within the V&T Specific Plan Area, APN's 008-521-54, -55, 89, 90, 008-522-16, -17, -18, 008-531-59, and -60. (Heather Ferris, hferris@carson.org)

**Staff Summary:** The Board introduced the subject ordinance at its meeting of December 20, 2018. The subject properties have a zoning designation of General Industrial and a Master Plan land use designation of Mixed-Use Residential. On March 15, 2018 the Board of Supervisors approved a Master Plan Amendment changing the Master Plan designation of the subject site from Industrial to Mixed Use Residential. The requested zoning map amendment will make the zoning consistent with the Master Plan designation of Mixed-Use Residential.

**Agenda Action:** Ordinance - Second Reading

**Time Requested:** 5 minutes

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## **Proposed Motion**

I move to adopt Bill No. 125, Ordinance\_\_\_ on second reading.

## **Board's Strategic Goal**

Quality of Life

## **Previous Action**

At its meeting of December 20, 2018, the Board introduced the subject Ordinance by a vote of 5-0.

At the December 20, 2018 meeting the Board also considered a Tentative Subdivision Map (TSM-18-154) on the subject site. The Board voted 5-0 to approve the Tentative Subdivision Map which is conditioned on the approval of the zoning map amendment.

At its meeting of November 28, 2018, the Planning Commission conducted a public hearing on the subject request, and voted to recommend that the Board of Supervisors amend the Zoning Map as requested. The vote of the Planning Commission was 5-0, 2 absent.

## **Background/Issues & Analysis**

The Board of Supervisors is authorized to amend the Zoning Map. The Planning Commission makes a recommendation to the Board. Please see the attached staff report to the Planning Commission for further information.

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

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

**Financial Information**

Is there a fiscal impact?  Yes  No

If yes, account name/number:

Is it currently budgeted?  Yes  No

Explanation of Fiscal Impact:

**Alternatives**

Deny the request based on an inability to make the required findings, noting what finding cannot be made.

**Board Action Taken:**

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

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

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

Aye/Nay

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

SUMMARY – An ordinance amending the Carson City zoning map.

BILL NO. 125  
ORDINANCE NO. 2019-\_\_

AN ORDINANCE TO CHANGE THE ZONING FROM GENERAL INDUSTRIAL TO SINGLE FAMILY 6,000, MULTI-FAMILY APARTMENT, GENERAL COMMERCIAL, AND PUBLIC REGIONAL ON PROPERTIES LOCATED SOUTHEAST OF US HIGHWAY 50 AND NORTHEAST OF DEER RUN ROAD, APNS 008-521-54; -55; -89; -90; 008-522-16; -17; -18; 008-531-59; AND -60.

The Board of Supervisors of Carson City do ordain:

SECTION I:

An application for a Zoning Map Amendment on Assessor's Parcel Number 008-521-54, -55, -89, -90, 008-522-16, -17, -18, 008-531-59, and -60, property located at southeast of US Highway 50 and northeast of Deer Run Road, Carson City, Nevada, was duly submitted by the Carson City Planning Division in accordance with Section 18.02.075, et seq. of the Carson City Municipal Code (CCMC). The request will result in the zoning designation of the subject parcels APNS 008-521-54, -55, -89, -90, 008-522-16, -17, -18, 008-531-59, and -60 changing from General Industrial to Single Family 6,000 for approximately 68.3 acres; Multi-family Apartment for approximately 18.0 acres; General Commercial for approximately 13.9 acres; and Public Regional for approximately 18.9 acres. After proper noticing pursuant to NRS 278 and CCMC Title 18, on November 28, 2018, the Planning Commission, during a public hearing, reviewed the Planning Division staff report, took public comment and voted 5 ayes, 0 nays, 2 absent, to recommend to the Board of Supervisors approval of the Zoning Map Amendment.

SECTION II:

Based on the findings that the Zoning Map Amendment would be in substantial compliance with the goals, policies and action programs of the Master Plan, that the Amendment will provide for land uses compatible with existing adjacent land uses and will not have detrimental impacts to other properties in the vicinity; that the Amendment will not negatively impact existing or planned public services or facilities and will not adversely impact the public health, safety and welfare; and that the request satisfied all other requirements for findings of fact enumerated in CCMC Section 18.02.075(5), the zoning map of Carson City is amended changing the zoning of Assessor's Parcel Number 008-521-54, -55, -89, -90, 008-522-16, -17, -18, 008-531-59, and -60 from General Industrial to Single Family 6,000 for approximately 68.3 acres; Multi-family Apartment for approximately 18.0 acres; General

Commercial for approximately 13.9 acres; and Public Regional for approximately 18.9 acres, as depicted on Attachment A.

PROPOSED this \_\_\_\_ day of \_\_\_\_\_, 2018.

PROPOSED BY Supervisor \_\_\_\_\_

PASSED on the \_\_\_\_ day of \_\_\_\_\_, 2019.

VOTE:                   AYES: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

NAYS: \_\_\_\_\_

\_\_\_\_\_

ABSENT: \_\_\_\_\_

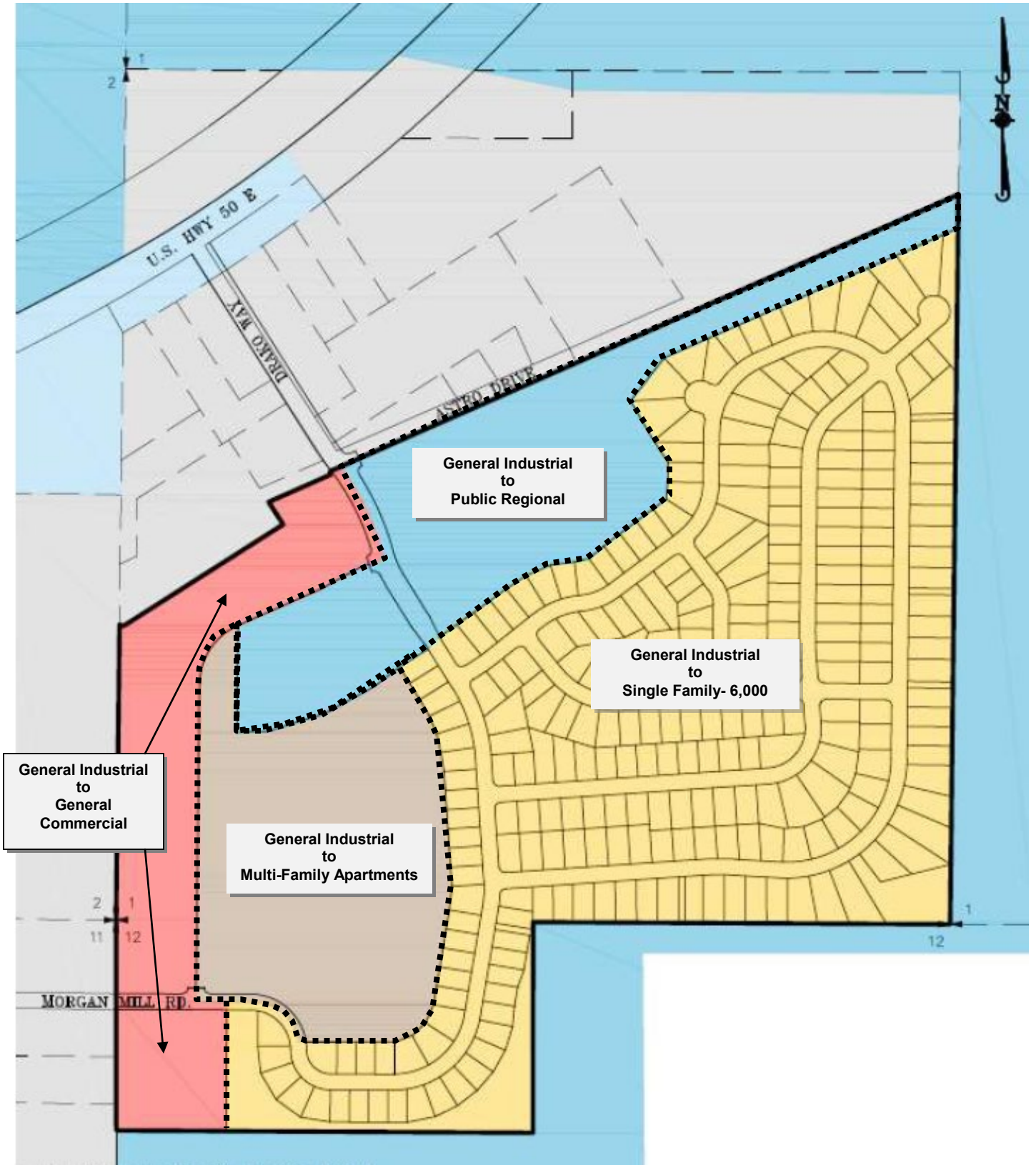
\_\_\_\_\_  
ROBERT L. CROWELL, Mayor

ATTEST:

\_\_\_\_\_  
SUSAN MERRIWETHER, Clerk-Recorder

This ordinance shall be in force and effect from and after the \_\_\_\_ of \_\_\_\_\_, 2018.

# Attachment A



**STAFF REPORT FOR THE PLANNING COMMISSION MEETING OF NOVEMBER 28, 2018**

**FILE NO: ZMA-18-155 & TSM-18-154**

**AGENDA ITEM: E.5 & E.6**

**STAFF CONTACT:** Heather Ferris, Associate Planner

**AGENDA TITLE:** For Possible Action: To make a recommendation to the Board of Supervisors regarding a Zoning Map Amendment for a 119.1 acre site from General Industrial to Single Family 6,000 for approximately 68.3 acres; Multi-family Apartment for approximately 18.0 acres; General Commercial for approximately 13.9 acres; and Public Regional for approximately 18.9 acres, for property located southeast of US Highway 50 and north east of Deer Run Road, within the V&T Specific Plan Area, APN's 008-521-54, -55, 89, 90, 008-522-16, -17, -18, 008-531-59, and -60. (Heather Ferris, [hferris@carson.org](mailto:hferris@carson.org))

For Possible Action: To make a recommendation to the Board of Supervisors regarding a Tentative Subdivision Map application to create 270 single family residential lots, 9 common area parcels, 3 remainder parcels, and approximately 13.36 acres of right-of-way within a 119.1 acre project area; located southeast of US Highway 50 and north east of Deer Run Road, within the V&T Specific Plan Area, APN's 008-521-54, -55, 89, 90, 008-522-16, -17, -18, 008-531-59, and -60. (Heather Ferris, [hferris@carson.org](mailto:hferris@carson.org))

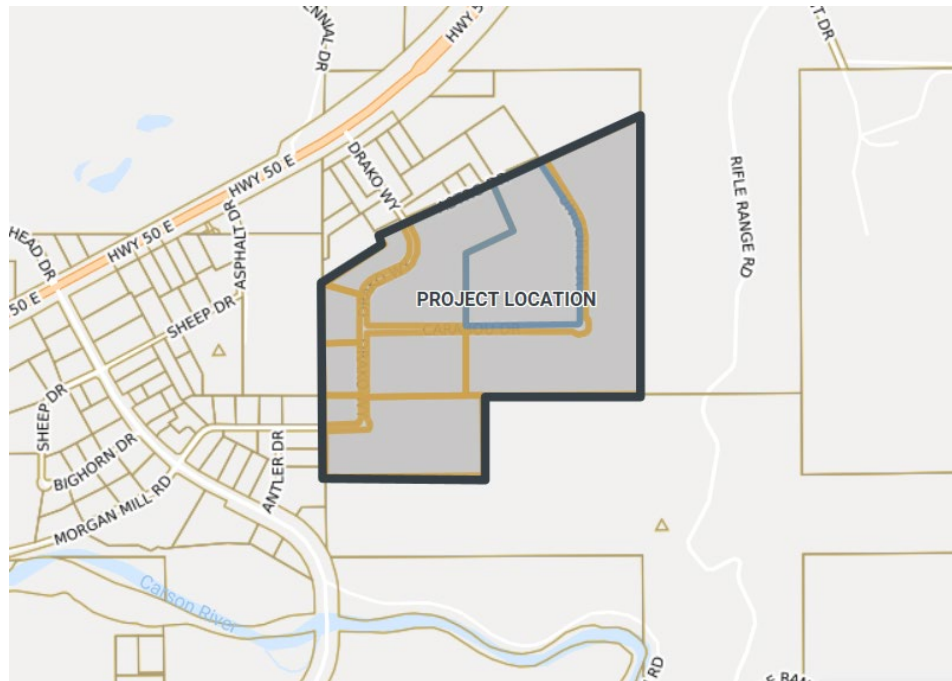
**STAFF SUMMARY:** On March 15, 2018 the Board of Supervisors approved a Master Plan Amendment changing the Master Plan designation of the subject site from Industrial to Mixed-Use Residential. The requested zoning map amendment will make the zoning consistent with the Master Plan designation of Mixed-Use Residential and is sought in conjunction with a Tentative Subdivision Map.

**RECOMMENDED MOTIONS:**

"I move to recommend to the Board of Supervisors approval of ZMA-18-155, a Zoning Map Amendment for a 119.1 acre site from General Industrial to Single Family 6,000 for approximately 68.3 acres; Multi-family Apartment for approximately 18.0 acres; General Commercial for approximately 13.9 acres; and Public Regional for approximately 18.9 acres, for property located southeast of US Highway 50 and northeast of Deer Run Road within the V&T Specific Plan Area, based on the ability to make the required findings as stated in the staff report."

"I move to recommend to the Board of Supervisors approval of TSM-18-154, a Tentative Subdivision Map known as the Plateau Development, consisting of 270 single family residential lots, 9 common area parcels, 3 remainder parcels, and approximately 13.36 acres of right-of-way within a 119.1 acre project area; located southeast of US Highway 50 and northeast of Deer Run Road, within the V&T Specific Plan Area, subject to the conditions of approval and based on the findings as stated in the staff report."

**VICINITY MAP:**



**RECOMMENDED CONDITIONS OF APPROVAL (TSM-18-154)**

The following are general conditions of approval:

1. This Tentative Subdivision Map is approved only if the the zoning map amendment (ZMA-18-155) is approved by the Board of Supervisors.

The following are conditions of approval required per CCMC 18.02.105.5:

2. All final maps shall be in substantial accord with the approved tentative map.
3. Prior to submittal of any final map, the Development Engineering Department shall approve all on-site and off-site improvements. The applicant shall provide construction plans to the Development Engineering Department for all required on-site and off-site improvements, prior to any submittals for approval of a final map. The plan must adhere to the recommendations contained in the project soils and geotechnical report.
4. Lots not planned for immediate development shall be left undisturbed and mass grading and clearing of natural vegetation shall not be allowed. Any and all grading shall comply with City standards. A grading permit from the Nevada Division of Environmental Protection shall be obtained prior to any grading. Noncompliance with this provision shall cause a cease and desist order to halt all grading work.
5. All lot areas and lot widths shall meet the zoning requirements approved as part of this tentative map with the submittal of any final map.
6. With the submittal of any final maps, the applicant shall provide evidence to the Planning and Community Development Department from the Health and Fire Departments indicating the agencies' concerns or requirements have been satisfied. Said correspondence shall be included in the submittal package for any final maps and shall include approval by the Fire Department of all hydrant locations.

7. The following note shall be placed on all final maps stating:  
  
"These parcels are subject to Carson City's Growth Management Ordinance and all property owners shall comply with provisions of said ordinance."
8. Placement of all utilities, including AT&T Cablevision, shall be underground within the subdivision. Any existing overhead facilities shall be relocated prior to the submittal of a final map.
9. The applicant must sign and return the Notice of Decision for conditions for approval within ten (10) days of receipt of notification after the Board of Supervisors meeting. If the Notice of Decision is not signed and returned within ten (10) days, then the item may be rescheduled for the next Planning Commission meeting for further consideration.
10. Hours of construction will be limited to 7:00 a.m. to 7:00 p.m., Monday through Friday, and 7:00 a.m. to 5:00 p.m. on Saturday and Sunday. If the hours of construction are not adhered to, the Carson City Building Department will issue a warning for the first violation, and upon a second violation, will have the ability to cause work at the site to cease immediately.
11. The applicant shall adhere to all City standards and requirements for water and sewer systems, grading and drainage, and street improvements.
12. The applicant shall obtain a dust control permit from the Nevada Division of Environmental Protection. The site grading must incorporate proper dust control and erosion control measures.
13. A detailed storm drainage analysis, water system analysis, and sewer system analysis shall be submitted to the Development Engineering Department prior to approval of a final map.
14. Prior to the recordation of the final map for any phase of the project, the improvements associated with the project must either be constructed and approved by Carson City, or the specific performance of said work secured, by providing the City with a proper surety in the amount of one hundred fifty percent (150%) of the engineer's estimate. In either case, upon acceptance of the improvements by the City, the developer shall provide the City with a proper surety in the amount of ten percent (10%) of the engineer's estimate to secure the developer's obligation to repair defects in workmanship and materials which appear in the work within one (1) year of acceptance by the City. Improvements associated with the Conditional Letter of Map Revision must be constructed and may not be secured for in lieu of construction.
15. A "will serve" letter from the water and wastewater utilities shall be provided to the Nevada Health Division prior to approval of a final map.
16. The District Attorney shall approve any CC&R's prior to recordation of the first final map.

**Specific Conditions to be included in the Design of the Improvement Plans, to be met prior to approval of construction permit:**

17. All site improvements must be designed to meet the requirements of the Carson City Development Standards and Standard Details, including but not limited to the following:



- a. Proposed street sections that meet the minimum width for a section that limits parking on one or both sides, per Carson City Standard Details, must be signed with “No Parking” signs.
- b. The proposed sidewalk width must be increased to the City Standard 5 foot wide sidewalk.
- c. Utility main locations must be updated to meet the standard detail for typical locations.
- d. The site improvement design engineer must coordinate the storm drain, wastewater, and water main analyses with Public Works in order to account for potential development to the northeast. These analyses must address main, pumping, and storage requirements for the development to meet required capacities and pressure, and must address the ability to increase capacity for future developments. The water main analysis must also address the effects of pressure reducing valve assemblies that may be required to maintain separate pressure zones in the water system. It is anticipated that system improvements including additional booster capacity will be required at the developer's expense.
- e. With the site improvement plans, the traffic impact study must be revised to include the following:
  - (i) Volume/counts must be taken when school is in session, the report notes an August month, please provide date of when the counts were collected.
  - (ii) NDOT counts for U.S. 50 and Deer Run Road must be used in place of Traffic Work's counts.
  - (iii) The growth factor must match CAMPO's 1% annual growth.
  - (iv) The design LOS for the new signal at Drake Way (if approved by NDOT) must be designed to a LOS C or better.
  - (v) Intersection Level of Service tables must be revised to provide:
    - a. All approaches and overall for US 50/Deer Run Road intersection.
    - b. All existing approaches and overall for US 50/Drako Way intersection.
    - c. The overall for Deer Run Road/Morgan Mill Road intersection
- f. The sewer impact report references the old d/D standard of 0.75. The new standard of 0.5 must be utilized for small mains in the sewer main analysis for the improvement plans.
- g. The developer must update the City's water model per CCDS 15.3.1. The City will provide boundary conditions and system curves based on fire flows, and will provide version information. The developer must supply a model to be incorporated into the City's model.
- h. Water mains with 15 or more services must be looped.
- i. Per CCMC 12.09.070 & 12.09.080 (4), the developer must provide base flood elevation data. In the event that this data reveals X-shaded or A flood hazard zones that will be altered by the subdivision improvements,

the subdivision must receive a CLOMR determination from FEMA and provide funds to process the LOMR per 12.09.070(d).

18. The developer must incorporate “*Best Management Practices*” into construction documents and specifications to reduce the spread of noxious weeds.
19. The developer shall enter into an agreement with the City to address the following:
  - a. Upsizing the sewer main in Airport Road from US 50 to Douglas Drive, which is at capacity; and
  - b. Construction of an appropriate roadway treatment to maintain the pavement performance of Airport Road between US 50 and Woodside Drive where the sewer main must be upgraded.
20. The developer must analyze the Morgan Mill Lift Station and upgrade the lift station to meet flow and emergency storage capacity requirements if so determined by the analysis. Metering of incoming flows may be required to confirm current conditions. In the event that additional capacity is not provided for future development, the lift station and controls improvements must be designed to be able to easily be updated.
21. The water main and storm drain must be stubbed to the north as shown. The sewer main must also be stubbed to the north.
22. The storm drain infrastructure must extend to the Carson River. This may be an open channel; however this must be designed to prevent erosion and maintenance access must be provided.
23. Natural drainages that enter the subdivision must be tied into the underground storm drain system at the subdivision, as shown, and access must be provided for maintenance.
24. The detention basin location must be analyzed by a geotechnical engineer.
25. The developer must obtain NDOT and Carson City approval of the HWY 50 intersection improvements prior to issuing a site improvement permit. The approved intersection must bring intersection LOS into compliance with Code.
26. The site improvements must meet the requests made in the NDEP Limited Phase II Environmental Site Assessment Report and Remedial Action Plan memo dated November 30, 2017. If a revised RAP is submitted to NDEP and used for the development, the site improvements must meet any applicable requests by NDEP for that RAP. Additionally, the developer must hire a certified environmental manager to supervise the remediation required by the RAP including excavation in landfill areas and disposal.
27. The water main alignment may not be altered to loop the water main to Hwy 50 unless approved by the City Engineer. If the water main is looped to the main in Hwy 50, where the water main passes through the old landfill, the soil must be excavated and replaced with imported soil within a distance equal to the minimum separation required between a water main and a sewer main, both horizontally and vertically.
28. Local streets must have a minimum asphalt thickness of 4 inches or per the geotechnical engineer’s recommendations, whichever is greater.

29. Hydrants must be provided per Appendix B and Appendix C of the IFC (adopted edition) and shown on plans.
30. The developer must provide pedestrian access points to the adjacent City property and show the access points on the site improvement plans for review and approval by the Parks, Recreation and Open Space Department.
31. The developer must incorporate bike lanes into the development's street system network that connects to US Highway 50 (East) and Deer Run Road.
32. All site clearing/grubbing, grading, and construction activities, including construction worker parking, must occur on the project site, unless permissible to private property owners. No construction activities shall occur on City property. The applicant shall provide protective fencing along the property line to delineate public lands from private property during construction.
33. The developer must use a pollinator friendly dryland seed mix for any permanent erosion control and re-vegetation within any open space/ common areas within the development.
34. If it is determined that the development's water system is required to connect to existing water tanks on the City's land (east of the development), the applicant must coordinate the water line alignment with the Parks, Recreation, and Open Space Department and Development Engineering. The applicant must re-vegetate the disturbed area (except the water line's service road) to its previous condition. The dryland seed mix and treatment application specifications including temporary irrigation, weed control, and protective fencing shall be reviewed and approved by the Parks Recreation and Open Space Department.

#### **Conditions to be Addressed with the Final Map**

35. Prior to the recordation of the first Final Map, the applicant shall provide the Community Development Department with a disclosure statement or similar instrument for review and approval. The document shall be recorded and provide for disclosures of the following:
  - a. The development's proximity to existing industrial properties and the inconvenience or discomfort that may arise from living in close proximity to such operations;
  - b. The pre-existence of the City's Landfill, Rifle and Pistol Range, and adjacent Disc Golf Course Complex.
36. The developer must provide a public access easement for all pedestrian access corridors, off-street recreational trails and both fire access roads within the proposed development. The easement will be recorded on the final map or through a covenant, deed restriction, or similar legal instrument to ensure public access to City lands in perpetuity.
37. A Homeowners Association/Maintenance Association or similar entity must be established for the following:
  - a. Ownership and maintenance, in perpetuity, of all open space, common areas, landscaping, and off-street trails within the development; and
  - b. Maintenance of all on-site drainage basins and any Low Impact Design, in perpetuity.

38. The developer shall dedicated two unobstructed fire protection access easements not less than twenty (20) feet wide from the public street to the subdivision or development boundary as determined by the Fire Chief. One access shall be located at the end of the cul-de-sac between lots 58 and 59, and the other shall be located between lots 34 and 35. The emergency access must be designed and constructed to comply with the requirements of Division 12, Emergency Access Streets. Gates must be marked with “No Parking-Fire Lane” signage per Carson City Fire Code.
39. The developer shall provide a vegetation management plan for review and approval by the Fire Department.
40. Defensible space requirements and an easement stating the purpose and development limitations shall be delineated on the Final Map to ensure that all on-site development incorporates the required defensible space on site.
41. At the time of Final Map submittal, the applicant must demonstrate that the project complies with all identified conditions, as well as with the terms of any associated Development Agreement.
42. The final mylar will be presented to the State Engineer for approval and signature.

**LEGAL REQUIREMENTS:** CCMC 18.02.050 (Review); 18.02.075 (Zoning Map Amendments); CCMC 17.05 (Tentative Maps); CCMC 17.07 (Findings); NRS 278.330

**MASTER PLAN DESIGNATION:** Eastern Portal—Virginia & Truckee Railroad Gateway Specific Plan Area; Mixed-Use Residential

**ZONING DISTRICT:** General Industrial (GI).

**PROPOSED ZONING DISTRICT:** Single Family 6,000 (SF-6), Multi-Family Apartments (MFA), General Commercial (GC), and Public Regional (PR)

**KEY ISSUES:** Is the Zoning Map Amendment and Tentative Map consistent with the Specific Plan? Does the proposal meet the Tentative Map requirements and other applicable requirements?

**SURROUNDING MASTER PLAN**

NORTH: Mixed-Use Commercial  
SOUTH: Public/Quasi-Public  
WEST: Public/Quasi-Public and Industrial  
EAST: Open Space

**SURROUNDING ZONING AND LAND USE INFORMATION**

NORTH: General Industrial / Mix of commercial and industrial Uses  
SOUTH: Public Regional/ Open Space  
WEST: General Industrial/ Mix of commercial and industrial uses/public facilities  
EAST: Public Regional/ Open Space

**ENVIRONMENTAL INFORMATION:**

FLOOD ZONE: Zone X (Areas of Minimal Flooding)  
SLOPE/DRAINAGE: Hillside  
SEISMIC ZONE: Zone II (Moderate)  
Fault: Beyond 500 feet

#### **SITE DEVELOPMENT INFORMATION:**

SUBJECT SITE AREA: 119.1 Acres  
EXISTING LAND USE: Vacant  
TOTAL RESIDENTIAL LOTS: 270 single family lots  
PROPOSED LOT SIZES: Minimum Lot Size 6000 square feet  
PROPOSED SETBACKS: Setback requirements for the SF6, MFA, and GC zoning district will apply.  
PARKING REQUIRED: Two spaces per dwelling unit  
PROJECT PHASING: The proposed Tentative Map includes 5 phases.  
**Phase 1** will include 57 SF6 residential lots, necessary local streets, on- and off-site infrastructure improvements, remediation of the Old Carson City Landfill, and recreation improvements.  
**Phase 2** will include 51 SF6 residential lots, local streets as necessary and associated infrastructure improvements.  
**Phase 3** will include 53 SF6 residential lots, local streets as necessary and associated infrastructure improvements.  
**Phase 4** will include 53 SF6 residential lots, local streets as necessary and associated infrastructure improvements.  
**Phase 5** will include 56 SF6 residential lots, local streets as necessary and associated infrastructure improvements.

#### **SITE HISTORY:**

- D-02/03-2; D-02/03-3; D-02/03-4: Drainage Easements
- AB-02/03-1: (October 17, 2002) Approval to abandon a portion of a public right-of-way along Morgan Mill Road and Drako Way.
- MPA-18-007: (March 15, 2018) Adoption of a Master Plan Map Amendment changing the land use designation to Mixed-Use Residential.
- CSM-18-035: (March 20, 2018) Review of a conceptual map for 339 single family lots on 81 acres, an 11 acre multi-family development, 3 acres of General Commercial, and 17 acres of open space

#### **BACKGROUND:**

The subject property is located within the Eastern Portal—Virginia & Truckee Railroad Gateway Specific Plan Area (V&T SPA). The purpose of the V&T SPA is:

- *To provide for cohesive development within the area.*
- *To create a “gateway” into Carson City.*
- *To protect economic development opportunities along the highway corridor, particularly in conjunction with the development of the V&T Railroad.*
- *To protect visual resources associated with the V&T Railroad route and terminal location.*
- *To encourage public/private partnerships to facilitate economic development and public purposes.*
- *To encourage public/private cooperation in creating public access, trails and recreational opportunities.*

In March of 2018 the Board of Supervisors approved a Master Plan Amendment for the subject property from Industrial to Mixed-Use Residential, consistent with Policy 1.5 of the V&T SPA. Policy 1.5 calls for the land use designation of the subject property to be changed to either Mixed Use Commercial or Mixed Use Residential, once the old landfill identified on-site has been removed or Nevada Department of Environmental Protection (NDEP) has approved engineering controls that will need to be in place upon development of the property. The

applicant has been working with NDEP on a Remedial Action Plan for the site and received approval with additional requirements, prior to the approval of the Master Plan Amendment.

#### **DISCUSSION:**

The applicant is requesting both a zoning map amendment as well as approval of a Tentative Subdivision Map.

*Zoning Map Amendment:* The property is currently zoned General Industrial. As discussed above, in March 2018 the Board of Supervisors approved a Master Plan Amendment from Industrial to Mixed-Use Residential, consistent with the V&T SPA. Master Plan Policy MUR 1.5 of the Master Plan outlines the required mix of uses for a Mixed-Use Residential project. Mixed-Use Residential neighborhoods are intended to be comprised of predominately residential uses. Complementary uses, such as retail, office, and live-work units, should represent between 10 and 30 percent of the total land area.

The total project area is 119.1 acres. The zoning map amendment proposes a mix of zoning districts consistent with the requirements of the Mixed-Use Residential land use designation. As proposed, the zoning would consist of 68.3 acres (57%) of Single Family 6,000; 18.0 acres (15%) of Multi-family Apartment; 13.9 acres (11.6%) of General Commercial; and 18.9 acres (15.8%) of Public Regional zoning. This mix of zoning districts will allow for a mix of housing types as well as complementary commercial uses. Additionally, consistent with Master Plan Policy MUR 1.8 the Public Regional zoning district, combined with the proposed common area parcels within the single family residential development, will allow for open space and recreational trails to be incorporated into the development.

It should be noted; the stated purpose of the Public Regional zoning district is for “*Federal, state and city facilities and uses whose main purpose is to sustain wide regional needs.*” Although this portion of the project will not be owned or operated by a public entity, staff believes that the 18.9 acre site (the old landfill) would be appropriately zoned with Public Regional zoning. Carson City Municipal Code does not contain a zoning district that would be an exact fit for this site. Because the site contains the old landfill which will be remediated with this project and will need to be protected from future development, the Public Regional zoning may be considered an appropriate fit. The zoning district allows for Open Space which this site will provide. Additionally, the site will contain trails connecting to public lands to the south and east, which will be beneficial to the public at large. Moreover, any future use of this portion of the project site would be subject to a Special Use Permit which will help to protect remediation work that is to be completed on the old landfill site.

The proposed location of the commercial zoning provides for logical transitions and buffers between the existing mix of industrial and commercial uses that are located to the north and west of the subject property and the proposed residential portion of the development. Additionally, the location of the Multi-Family Apartment zoning will provide for a logical transition between the commercial portion of this development and the proposed single family residences. Open space and common area parcels are located throughout the development and also provide buffers and transitions between the existing industrial and commercial uses and the proposed single family residential development.

*Tentative Subdivision Map:* The applicant has made application for a Tentative Subdivision Map concurrent with the zoning map amendment. The map proposes the creation of 270 single family residential lots, 3 remainder parcels (two of which will be zoned General Commercial and one zoned Multi-Family Apartments), and 9 common area parcels. There is no proposed development at this time for the remainder lots; however, assumptions regarding the potential uses were made for the purposes of the traffic study. As discussed above, the proposed zoning

for the remainder parcels will allow for the appropriate mix of uses consistent with the Mixed-Use Residential land use designation.

The proposed residential lots will meet the requirements of parcel size, density, height, and setbacks, as outlined in Carson City Municipal Code 18.04.190 for the SF6 zoning district. The residential density is 3.95 units/acre (270 units/68.3 acres of single family residential development). The lot sizes will range from 6,000 square feet to 17,950 square feet with the average lot size being just over 8,000 square feet. CCMC Division 2 requires a minimum of two off-street parking spaces be provided for each single family dwelling unit. Specific floor plans are not provided, nor are they required as part of this application; however it is expected that each single family unit will have at least a two car garage. At the time that building permits are reviewed, staff will ensure each lot provides for the minimum required on-site parking for each lot.

The project site is accessed from Hwy. 50 with Drako Way being the main project entrance. Improvements to Drako will include landscaping, sidewalks on both sides of the road, and bike lanes. The internal roadways for the project will replace the existing rights-of-way for Drako Way, Carabou Drive, and Unicorn Drive, which will effectively be abandoned with the recording of the final map. A 20 foot wide fire access road is provided to the adjacent open space at the southeast corner of the project site. Pedestrian access and connectivity will be provided throughout the project via sidewalks as well as recreational trails. The applicant is proposing a Landscape Maintenance District for the maintenance of trails, weed abatement and landscaping along right-of-way, and weed abatement and landscaping of common area parcels. Due to financial and staffing impacts on the City, staff is recommending against the Landscape Maintenance District and instead recommends the use of a Home Owners Association or similar entity for this type of maintenance.

A Traffic Impact Study was prepared for this project. The study concluded that a new traffic signal would be needed at Hwy 50 and Drako way. This intersection currently operates at a Level of Service (LOS) E during PM peak hour. The signalized intersection would improve operations at this intersection to an LOS A during AM and PM peak hours. Staff has incorporated conditions of approval to ensure this improvement is completed with this project. The other intersections within the development are anticipated to operate at acceptable levels of service at project build-out.

As noted above, the applicant has been working with NDEP on a Site Assessment Report and Remedial Action Plan. The Remedial Action Plan had been approved with additional requests outlined in NDEP's November 30, 2017 letter. As required in the November 30, 2017 NDEP letter, a draft Storm Water Management Plan (SWMP) was submitted to NDEP in April 2018. The draft SWMP was deemed to meet NDEP's requirements and a Final SWMP will be submitted following Tentative Map approval. The remediation of the site will include the construction of a road within the landfill site, removing any exposed landfill waste and contaminated soil, and capping the extent of the landfill with a soil cap. The site will also be re-vegetated with native vegetation and recreational trails will be installed. Consistent with the draft SWMP, the old landfill will be left undisturbed with the exception of the recreational trails and the roadway.

**PUBLIC COMMENTS:**

Public notices were mailed to 43 property owners within 1,250 feet of the subject site on November 9, 2018. As of the writing of this report, no comments have been received. Any comments that are received after this report is completed will be submitted to the Planning Commission prior to or at the meeting, depending on the date of submission of the comments to the Planning Division.

**OTHER CITY DEPARTMENT OR OUTSIDE AGENCY COMMENTS:**

The following comments were received from City departments. Recommendations have been incorporated into the recommended conditions of approval, where applicable.

**Engineering Division:**

The Engineering Division has no preference or objection to the tentative map request and the zoning map amendment. To make the findings for the subdivision tentative map, the following conditions of approval must be met:

- All site improvements must be designed to meet the requirements of the Carson City Development Standards and Standard Details, including but not limited to the following:
  - Proposed street sections that meet the minimum width for a section that limits parking on one or both sides, per Carson City Standard Details, must be signed with “No Parking” signs.
  - The proposed sidewalk width must be increased to the City Standard 5 foot wide sidewalk.
  - Utility main locations must be updated to meet the standard detail for typical locations.
  - The site improvement design engineer must coordinate the storm drain, wastewater, and water main analyses with Public Works in order to account for potential development to the northeast. These analyses must address main, pumping, and storage requirements for the development to meet required capacities and pressure, and must address the ability to increase capacity for future developments. The water main analysis must also address the effects of pressure reducing valve assemblies that may be required to maintain separate pressure zones in the water system. It is anticipated that system improvements including additional booster capacity will be required at the developer’s expense.
  - With the site improvement plans, the traffic impact study must be revised to include the following:
    - Volume/counts need to be taken when school is in session, the report notes an August month, please provide date of when the counts were collected
    - NDOT counts for U.S. 50 and Deer Run Road need to be used in place of Traffic Work’s counts
    - The growth factor needs to match CAMPO’s 1% annual growth
    - The design LOS for the new signal at Drake Way (if approved by NDOT) needs to be designed to a LOS C or better.
    - Intersection Level of Service tables need to be revised to provide:
      - All approaches and overall for US 50/Deer Run Road intersection
      - All existing approaches and overall for US 50/Drako Way intersection
      - The overall for Deer Run Road/Morgan Mill Road intersection
  - The sewer impact report references the old d/D standard of 0.75. The new standard of 0.5 must be utilized for small mains in the sewer main analysis for the improvement plans.
  - The developer must update the City’s water model per CCDS 15.3.1. The City



will provide boundary conditions and system curves based on fire flows, and will provide version information. The developer must supply a model to be incorporated into the City's model.

- Water mains with 15 or more services must be looped.
- Per CCMC 12.09.070 & 12.09.080 (4), the developer must provide base flood elevation data. In the event that this data reveals X-shaded or A flood hazard zones that will be altered by the subdivision improvements, the subdivision must receive a CLOMR determination from FEMA and provide funds to process the LOMR per 12.09.070(d).
- The developer will be required to enter a developer's agreement with the City to upsize the sewer main in Airport Road from US 50 to Douglas Drive, which is at capacity.
- Since this project will expedite the need for the sewer main replacement in Airport Road, and since the pavement was recently improved between US 50 and Woodside Drive, the developer will be required to enter into a developer's agreement with the City to construct an appropriate roadway treatment to maintain the pavement performance of Airport Road between US 50 and Woodside Drive where the sewer main must be upgraded.
- The developer will need to analyze the Morgan Mill Lift Station and will be required to upgrade the lift station to meet flow and emergency storage capacity requirements if so determined by the analysis. Metering of incoming flows may be required to confirm current conditions. In the event that additional capacity is not provided for future development, the lift station and controls improvements must be designed to be able to easily be updated add a pump(s) to increase capacity.
- The water main and storm drain must be stubbed to the north as shown, and the sewer main must also be stubbed to the north.
- The storm drain infrastructure must extend to the Carson River. This may be an open channel; however this must be designed to prevent erosion and maintenance access must be provided.
- Natural drainages that enter the subdivision need to be tied into the underground storm drain system at the subdivision, as shown, and access must be provided for maintenance.
- The detention basin location must be analyzed by a geotechnical engineer.
- NDOT and Carson City approval of the HWY 50 intersection must be obtained prior to issuing a site improvement permit. The approved intersection must bring intersection LOS into compliance with Code.
- The site improvements must meet the requests made in the NDEP Limited Phase II Environmental Site Assessment Report and Remedial Action Plan memo dated November 30, 2017. If a revised RAP is submitted to NDEP and used for the development, the site improvements must meet any applicable requests by NDEP for that RAP. Additionally, the developer must hire a certified environmental manager to supervise the remediation required by the RAP including excavation in landfill areas and disposal.
- The water main alignment may not be altered to loop the water main to Hwy 50 unless approved by the City Engineer. If the water main is looped to the main in Hwy 50, where the water main passes through the old landfill, the soil must be excavated and replaced with imported soil within a distance equal to the minimum separation required between a water main and a sewer main, both horizontally and vertically.

- Local streets will be required to have a minimum asphalt thickness of 4 inches or per the geotechnical engineer's recommendations, whichever is larger.

### **Parks, Recreation and Open Space (PROS):**

#### *TSM-18-154 and ZMA-18-155 / Drako Way - Plateau Development*

- A public access easement will be required for all pedestrian access corridors, off-street recreational trails and both fire access roads within the proposed development. The easement will be recorded on the final map or through a covenant, deed restriction, or similar legal instrument to ensure public access to City lands in perpetuity.
- The development will be subject to Residential Construction Tax (RCT), compliant with Nevada Revised Statutes and Carson City Municipal Code.
- All open space, common areas, landscaping, pedestrian access corridors, and off-street recreational trails within the development shall be owned and privately maintained by a Home Owners Association (HOA)/Maintenance Association or similar instrument in perpetuity.
- The applicant will be required to incorporate "Best Management Practices" into their construction documents and specifications to reduce the spread of noxious weeds. The Parks, Recreation & Open Space Department is willing to assist the applicant with this aspect of their project.
- The applicant will provide a disclosure in sale documents or similar instruments acknowledging the pre-existence of the City's Land Fill, Rifle and Pistol Range, and adjacent Disc Golf Course Complex.
- The design layout for the subdivision shall provide pedestrian access points to the adjacent City property. Due to the undulating topography and steep slopes, pedestrian access points shall be reviewed and approved by the Parks, Recreation and Open Space Department.
- The applicant needs to address incorporating bike lanes into the development's street system network that connects to U.S Highway 50 (East) and Deer Run Road.
- All site clearing/grubbing, grading, and construction activities, including construction worker's parking must occur on the applicants' property, unless permissible to private property owners. No construction activities shall occur on City property. The applicant shall provide protective fencing along the property line to delineate public lands from private property during construction.
- The applicant will be required to use a pollinator friendly dryland seed mix for any permanent erosion control and re-vegetation within any open space/ common areas within the development. The Parks, Recreation & Open Space Department is willing to provide the applicant with this seed mix and treatment application specifications for the project.
- If it is determined that the development's water system is required to connect to existing water tanks on the City's land (east of the development), the applicant shall be required to coordinate the water line alignment with the Parks, Recreation, and Open Space Department and Development Engineering and re-vegetate the disturbed area (except the water line's service road) to its previous condition. The dryland seed mix and treatment application specifications including temporary irrigation, weed control, and protective fencing shall be reviewed and approved by the Parks, Recreation and Open Space Department.

## **Fire Department:**

### TSM-18-154:

- Project must comply with the Carson City Fire Code and amendments as adopted.
- Project is in the identified wildland urban interface area of Carson City and must comply with the currently adopted edition of the International Wildland Urban Interface Code and amendments.
- Hydrants must be provided per Appendix B and Appendix C of the IFC (adopted edition) and shown on plans.
- The 17 acre open space plot must be maintained by the HOA and recorded.
- The project will require a vegetation management plan be submitted for review prior to submittal of Final Map for review.
- Defensible space requirements shall be delineated on the Final Map, and an easement stating the purpose and development limitations shall be placed on the final map to ensure that all on-site development incorporates the required defensible space on site.
- Per Title 18 Development Standards, Division 12.6, unobstructed fire protection equipment access easements not less than twenty feet (20') wide will be dedicated from the public street to the subdivision or development boundary as determined by the Fire Chief.
- Per Title 18 Development Standards, Division 12.11.13, permanent emergency access will be designed and constructed to comply with the requirements of Division 12, Emergency Access Streets. Gates will be marked with "No Parking-Fire Lane" signage per the Carson City Fire Code.
- The fire access easement points will be the end of the cul-de-sac between lots 58 and 59, and the drainage easement access road between lots 35-34 as shown on the Tentative Map.

The Fire Department has no comments on ZMA-18-155.

**Environmental Control:** No Comments.

**Assessor:** No Comments.

**ZONING MAP AMENDMENT FINDINGS:** Per the provisions of CCMC Section 18.02.075.5.b, the Commission, in forwarding a recommendation to the Board for approval of a Zoning Map Amendment, shall make the following findings of fact:

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

As previously noted, the project site is located within the V&T SPA which states that the subject area will be re-designated from Industrial to Mixed Use Commercial or Mixed Use Residential upon approved engineering controls in accordance with NDEP Standard. NDEP had approved the Remedial Action Plan with comments in November 2017 and the Board approved the Master Plan Amendment from Industrial to Mixed-Use Residential in March 2018. The zoning map amendment proposes a mix of zoning districts consistent with the requirements of the Mixed-Use Residential land use designation. As proposed, the zoning would consist of 68.3 acres (57%) of Single Family 6,000; 18.0 acres (15%) of Multi-family Apartment zoning; 13.9 acres (11.6%) of

General Commercial zoning; and 18.9 acres (15.8%) of Public Regional zoning. This mix of zoning districts will allow for a mix of housing types as well as complementary commercial uses. Additionally, consistent with Master Plan Policy MUR 1.8 the portion of the project proposed for Public Regional zoning, in combination with the other common area parcels, will allow for open space and recreational trails to be incorporated into the development.

**2. *That the proposed amendment will provide for land uses compatible with existing adjacent land uses and will not have detrimental impacts to other properties in the vicinity.***

The existing surrounding uses include a mix of commercial and industrial uses to the north and east and public land and open space to the east and south. While the current use of the properties immediately north of the project site are a mix of vacant land, as well as commercial and industrial uses, the properties have a Mixed-Use Commercial land use designation consistent with the V&T SPA. It is anticipated, at some point in the future, the properties in this area will develop into a mix of commercial and residential uses. Moreover, the proposed location of the commercial zoning and open spaces provide for transitions and buffers between the existing mix of industrial and commercial uses that are located to the north and west of the subject property and the proposed residential portion of the development. The location of the Multi-Family Apartment zoning will also provide for a logical transition between the commercial portion of this development and the proposed single family residences. Open space and common area parcels are located throughout the development to help buffer the development from the existing industrial and commercial uses. Staff finds these transitions and buffers provide for project compatibility with the adjacent land uses. With these buffers in place, the proposed mix of zonings will not have a detrimental impact on the other properties in the vicinity.

**3. *That the proposed amendment will not negatively impact existing or planned public services or facilities and will not adversely impact the public health, safety and welfare.***

The proposed zoning map amendment will not allow for land uses that will negatively impact existing or planned public services or facilities nor will the project adversely impact the public health, safety or welfare. Any new project must complete project impact reports to show what improvements to existing facilities are necessary to meet demands imposed by the project. Any project approved on the subject site that would cause adverse impacts would be required to mitigate those impacts as part of the design of the new development.

**TENTATIVE MAP FINDINGS:** Staff recommends approval of the Tentative Subdivision Map based on the findings below and in the information contained in the attached reports and documents, pursuant to CCMC 17.05 (Tentative Maps); 17.07 (Findings) and NRS 278.349, subject to the recommended conditions of approval, and further substantiated by the applicant's written justification. In making findings for approval, the Planning Commission and Board of Supervisors must consider:

**1. *Environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage disposal and, where applicable, individual systems for sewage disposal.***

The development is required to comply with all applicable environmental and health laws and regulations concerning water and air pollution and the disposal of solid waste. The existing infrastructure is required to be upgraded as part of this project in order to supply the water and sanitary sewer needs of the subdivision. The City has sufficient water and sewer plant capacity to meet the demand imposed by this subdivision.

**2. *The availability of water which meets applicable health standards and is sufficient in quantity for the reasonably foreseeable needs of the subdivision.***

The City has sufficient system capacity and water to meet the required water allocation for the subdivision. As noted in finding 1 above, the development will be required to upgrade water infrastructure in order to supply water to the subdivision. Staff has incorporated conditions of approval to ensure these infrastructure improvements are completed as part of this project.

**3. *The availability and accessibility of utilities.***

The project will be required to extend storm drain, water, and sewer utilities, as well as make necessary improvements to the infrastructure. Other utilities such as energy, gas, phone, and cable, are in the area and will be extended to serve the project. Staff has incorporated conditions of approval to ensure the necessary improvements are completed as part of this project.

**4. *The availability and accessibility of public services such as schools, police protection, transportation, recreation and parks.***

The Carson City School District provides educational services for Carson City. In an email dated November 13, 2018 the School District recognized that they currently have a capacity issue, however they are working on those issues district-wide. The primary concern with this particular project is transportation resulting in longer bus routes. The District is hopeful to have these issues resolved before the project is built.

The Carson City Parks, Recreation and Open Space Department will provide recreational and park services to the project area. Residential development was not contemplated in this area at the time the Park and Recreation Master Plan was developed and therefore, recreational opportunities were not planned for in this area of the City. The Parks, Recreation and Open Space Department recognizes that there may be a need in the future to review recreational needs, opportunities, and use characteristic for parks and recreational components in this part of the City in order to accommodate future residents. The development is incorporating opportunities for increased recreational properties and facilities with this project. The project includes common area lots as well as open space parcels that will provide for additional trails and access to the adjacent public lands. As conditioned, the common areas, open space parcel, trails, and landscaping will be required to be owned and maintained by a Home Owners Association or other similar entity. The developer will be required to pay, at the time of building permit, the Residential Construction Tax for each residence, for the purpose of funding parks.

The Carson City Sheriff's Office and Carson City Fire Department provides public safety services to the City. The development is required to provide for adequate on-site circulation for emergency vehicles. The proposed project is not anticipated to overburden police or fire protection services.

The Traffic Impact Study that was prepared for the project concluded that the intersection of Hwy 50 and Drako Way is currently operation at LOS E during PM peak hour and will require a traffic signal which will bring the intersection up to a LOS A during both AM and PM peak hours. Conditions of approval have been incorporated to ensure that this improvement is completed with this project. The other intersections studied are anticipated to operate at acceptable levels of service at project build-out.

**5. *Access to public lands. Any proposed subdivision that is adjacent to public lands shall incorporate public access to those lands or provide an acceptable alternative.***

As discussed above, the project is located adjacent to public lands on the south and east. The project proposes the incorporation of recreational trails as well as multiple points for pedestrian access to the adjacent public lands.

**6. *Conformity with the zoning ordinance and land use element of the City's Master Plan.***

As previously noted, the project site is located within the V&T SPA which states that the subject area will be re-designated from Industrial to Mixed Use Commercial or Mixed Use Residential upon approved engineering controls in accordance with NDEP Standard. NDEP had approved the Remedial action Plan with comments in November 2017 and the Board approved the Master Plan Amendment from Industrial to Mixed-Use Residential in March 2018. Concurrent with the Tentative Subdivision Map application, the applicant has applied for a zoning map amendment. The zoning map amendment proposes a mix of zoning districts consistent with the requirements of the Mixed-Use Residential land use designation (Policy MUR 1.5). As proposed, the zoning would consist of 68.3 acres (57%) of Single Family 6,000; 18.0 acres (15%) of Multi-family Apartment; 13.9 acres (11.6%) of General Commercial; and 18.9 acres (15.8%) of Public Regional zoning. This mix of zoning districts will allow for a mix of housing types as well as complementary commercial uses. Consistent with Master Plan Policy MUR 1.8 the Public Regional zoning district will allow for open space and recreational trails to be incorporated into the development. The proposed Tentative Subdivision Map is consistent with and dependent upon the proposed mix of zonings. If the requested zoning map amendment is not approved, this finding will not be met.

**7. *General conformity with the City's Master plan for streets and highways.***

Subject to compliance with the proposed conditions of approval, the proposed subdivision conforms to the City's Master Plan for streets and highways.

**8. *The effect of the proposed subdivision on existing public streets and the need for new streets or highways to serve the subdivision.***

The Traffic Impact Study that was prepared for the project concluded that the intersection of Hwy 50 and Drako Way is currently operating at LOS E during PM peak hour and will require a traffic signal which will bring the intersection up to a LOS A during both AM and PM peak hours. Conditions of approval have been incorporated to ensure that this improvement is completed with this project. The other intersections studied are anticipated to operate at acceptable levels of service at project build-out.

**9. *The physical characteristics of the land such as flood plains, earthquake faults, slope and soil.***

The site is located on a historic landfill and there is no FEMA base flood elevation. The landfill must be mitigated per NDEP requirements and the developer must provide base flood elevation data and/or get FEMA CLOMR approval as described in the conditions of approval. The project has been designed to accommodate peak flow events. A complete geotechnical investigation was submitted as part of the application. Conditions of approval have been incorporated as necessary.

**10. *The recommendations and comments of those entities reviewing the subdivision request pursuant to NRS 278.330 thru 278.348, inclusive.***

The proposed tentative map has been routed to the Nevada Department of Environmental Protection and the Nevada Division of Water Resources. The final mylar map of the proposed project will be presented to the State Engineer for approval and signed through his office prior to development. This requirement has been incorporated into the proposed conditions of approval.

**11. *The availability and accessibility of fire protection including, but not limited to, the availability and accessibility of water and services for the prevention and containment of fires including fires in wild lands.***

This map has been reviewed by the Fire Department and Development Engineering. With the required infrastructure improvements there will be sufficient fire water flows to serve the project. The project site is located within the Wildland Urban Interface (WUI). All development is required to comply with the WUI Code, provide a vegetation management plan, provide hydrants as required, and provide an unobstructed fire protection equipment access easements. Moreover, because this development is located in the WUI staff is recommending a condition of approval to help to mitigate impacts by requiring the developer to ensure that defensible space is provided for on-site by requiring the defensible space to be delineated on the Final Map and requiring an easement for the purposes of providing on-site defensible space. This is particularly important for the perimeter single family residential lots along the southern and eastern project boundaries.

**12. *Recreation and trail easements.***

Trails are proposed throughout the proposed open space area located on the old Carson City Landfill property. Due to financial and staffing impacts on the City, staff is recommending against the Landscape Maintenance District. Instead, staff has incorporated recommended conditions of approval requiring the use of a Home Owners Association or similar entity to own and maintain trails, landscaping along right-of-way and common area parcels, and conduct weed abatement.

**Attachments**

Eastern Portal—Virginia & Truckee Railroad Gateway Specific Plan Area  
City and State Comments  
Draft Ordinance  
Zoning Map Amendment and Tentative Map Applications (ZMA-18-155 and TSM-18-155)