

Item # 17

**City of Carson City
Agenda Report**

Date Submitted: October 26, 2010

Agenda Date Requested: November 4, 2010
Time Requested: 5 minutes

To: Mayor and Board of Supervisors

From: Public Works, Planning Division

Subject Title: Action to approve a request for a two-year extension of the Tentative Map, Special Use Permit, and Variances for a Planning Unit Development known as Mills Landing, which consists of 94 single-family residential units on 7.7 acres and a commercial/retail development on 2.4 acres, located at 1208 E. William Street and State Street. (File TPUD-06-202) (Lee Plemel)

Staff Summary: The current Planned Unit Development approval will expire on December 21, 2010. This request would extend the Tentative Map, Special Use Permit, and Variances to December 21, 2012 to allow time for coordination of the project and for the housing market to improve.

Type of Action Requested:

Resolution

Ordinance

Formal Action/Motion

Other (Specify)

Does This Action Require A Business Impact Statement: Yes No

Prior Board Action: Approved the Planned Unit Development Tentative map on December 21, 2006 with a vote of 5 Ayes and 0 Nays.

Recommended Board Action: I move to approve a request for a two-year extension of the Tentative Map, Special Use Permit, and Variances for a Planning Unit Development known as Mills Landing, which consists of 94 single-family residential units on 7.7 acres and a commercial/retail development on 2.4 acres, located at 1208 E. William Street and State Street.

Explanation for Recommended Board Action: The applicant is submitting his request at least 30 days prior to the tentative map expiration per the CCMC 17.06. Staff recommends that the Board of Supervisors approve the two-year extension of the Final Map recordation requirement to December 21, 2012.

Applicable Statute, Code, Policy, Rule or Regulation: CCMC 17.05 (Tentative Maps), 18.02.050 (Review), CCMC 17.06 (Time Limit for Recording), and CCMC 17.09 (Planned Unit Development).

Fiscal Impact: N/A

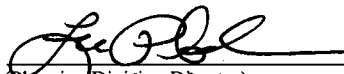
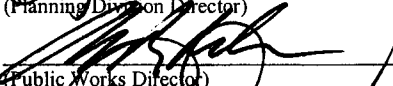

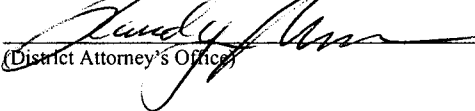
Explanation of Impact: N/A

Funding Source: N/A

Alternatives: 1) Deny request

Supporting Material: 1) Staff memo
2) Request for extension
3) PC minutes November 29, 2006
4) BOS minutes December 21, 2006

Prepared By: Janice Brod, Management Assistant V

Reviewed By:  _____ Date: 10.25.10
(Planning Division Director)
 _____ Date: 10.26.10
(Public Works Director)
 _____ Date: 10/26/10
(City Manager)
 _____ Date: 10/26/10
(District Attorney's Office)

Board Action Taken:

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

(Vote Recorded By)



Carson City Planning Division

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MEMO TO: Mayor and Board of Supervisors

FROM: Planning Division

DATE: November 04, 2010

SUBJECT: Action to approve a request for a two-year extension of the Tentative Map, Special Use Permit, and Variances for a Planning Unit Development known as Mills Landing (property owner: DGD Development and MSB Properties) that consists of 94 single-family residential units on 7.7 acres and a commercial/retail development on 2.4 acres, located at 1208 E. William Street and State Street. (File TPUD-06-202)

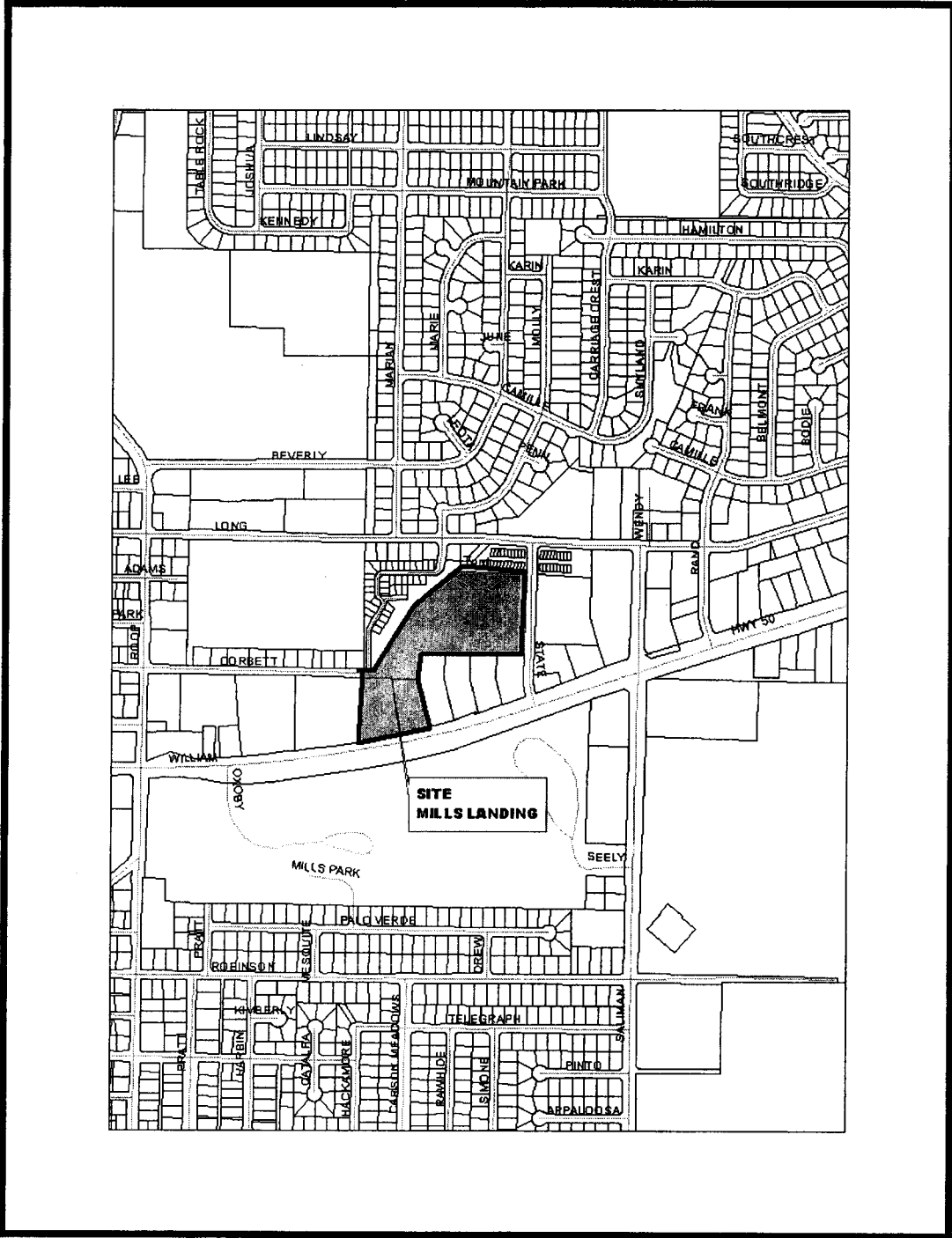
Susan Door, on behalf of Manhard Consulting, Ltd., is requesting a two year extension for the filing timeframe of Mills Landing Planned Unit Development from December 21, 2010 to December 21, 2012. The project was originally approved in 2006 as a mixed use development project. Per the applicant, due to difficulties with the final coordination of the project and the current state of the residential market, the final map will not be recorded prior to the expiration date.

Passage of Assembly Bill 74 in 2009 has provided relief for Subdivisions and Planned Unit Developments (PUD) throughout the state of Nevada, to allow initial approvals to increase from two to four years and to allow extensions to be granted for up to two additional years. Without this relief, Subdivisions would lose their map approvals for no reason other than the economy is in a recession, lending has slowed and in many instances has stopped. The amendment has provided the opportunity for time extensions by the Board of Supervisors (BOS) upon request, to keep maps active for Subdivision/PUD projects. This two-year extension request is the seventh of several such requests, under the recently adopted ordinance.

It is the recommendation of staff that the BOS approve a two-year extension for Mills Landing PUD, Special Use Permit and Variances. If this extension is approved the new expiration date for recordation of a Final Map for Mills Landing, Special Use Permit and Variances will be December 21, 2012.

RECOMMENDATION

Recommended Motion: "I move to approve a request for a two-year extension of the Tentative Map, Special Use Permit, and Variances for a Planning Unit Development known as Mills Landing, which consists of 94 single-family residential units on 7.7 acres and a commercial/retail development on 2.4 acres, located at 1208 E. William Street and State Street."



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reviewed statutory regulations pertinent to land subdivisions. Vice Chairperson Kimbrough entertained a motion. Commissioner Bisbee moved to approve application LDM-06-198, a tentative map for division of land into large parcels to subdivide a parcel of approximately 640 acres into 14 parcels of approximately 40 acres each, and one parcel of approximately 80 acres, APN 008-011-04, subject to the conditions contained in the staff report. Commissioner Vance seconded the motion. Motion carried 5-0-1, Commissioner Semmens abstaining.

Commissioner Bisbee moved to approve application LDM-06-199, a tentative map for division of land into large parcels, to subdivide two parcels totaling approximately 320 acres into 8 parcels of approximately 40 acres each, APNs 008-011-05 and -07, subject to the conditions contained in the staff report. Commissioner Reynolds seconded the motion. Motion carried 5-0-1, Commissioner Semmens abstaining.

G-4. SUP-06-196 ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM ROBERT G. AND MELINDA S. KOLB, PROPERTY OWNERS, TO ALLOW CONSTRUCTION OF AN ACCESSORY STRUCTURE (GUEST HOUSE), ON PROPERTY ZONED SINGLE-FAMILY ONE ACRE (SF1A), LOCATED AT 1293 EAST ROLAND STREET, APN 009-215-12 (4:13:56) - Vice Chairperson Kimbrough introduced this item. Mr. Sullivan reviewed the staff report, and narrated pertinent slides. He advised of staff's recommendation of approval subject to the findings and conditions outlined in the staff report.

(4:17:50) Robert Kolb acknowledged his agreement with the conditions of approval, and explained the design and purpose of the guest house.

Vice Chairperson Kimbrough called for public comment. (4:19:00) Gary Barnett, a resident of the area, discussed concerns over the guest house being used as a rental property at some time in the future. Vice Chairperson Kimbrough expressed understanding for Mr. Barnett's concern.

Mr. Sullivan read condition of approval 11 into the record, and noted the responsibility of the neighbors to inform the Planning Division of violations. Vice Chairperson Kimbrough entertained a motion. Commissioner Semmens moved to approve SUP-06-196, a special use permit request from applicants and owners Robert G. and Melinda J. Kolb, to allow an accessory building of 1,709 square feet, which another accessory structure of 240 square feet already on site, exceeds 75 percent of the size of the primary structure, on property zoned single-family one acre, located at 1293 East Roland Street, APN 009-215-12, based on seven findings and subject to the conditions of approval contained in the staff report. Commissioner Reynolds seconded the motion. Motion carried 6-0. Vice Chairperson Kimbrough commended Mr. Kolb on his application materials.

G-5. TPUD-06-202 ACTION TO CONSIDER THE FOLLOWING: TENTATIVE PLANNED UNIT DEVELOPMENT APPLICATION, KNOWN AS MILLS LANDING, FROM CAPITAL ENGINEERING (PROPERTY OWNER: DGD DEVELOPMENT AND MSB PROPERTIES) TO ALLOW A MIXED-USE DEVELOPMENT, ON APPROXIMATELY 10.14 ACRES RESULTING IN 94 SINGLE-FAMILY DWELLING UNITS ON APPROXIMATELY 7.7 ACRES AND COMMERCIAL / RETAIL DEVELOPMENT ON APPROXIMATELY 2.4 ACRES, WITH ASSOCIATED VARIANCES, TO ALLOW A REDUCTION IN THE 30-FOOT MINIMUM BUILDING SETBACK FROM AN ADJACENT RESIDENTIAL ZONING DISTRICT, TO VARY FROM 20-FOOT DRIVEWAY REQUIREMENT, PUD PERIPHERY SETBACKS, AND RELATED PARKING VARIANCES FROM CITY REQUIREMENTS, AND A SPECIAL USE

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PERMIT REQUEST TO ALLOW RESIDENTIAL USES IN GENERAL COMMERCIAL (GC) ZONING DISTRICT IN ADDITION TO MODEL HOMES, TEMPORARY SALES OFFICE, AND ASSOCIATED FLAGS / FLAGPOLES, ON PROPERTY ZONED GENERAL COMMERCIAL (GC), LOCATED AT 1208 EAST WILLIAM STREET AND STATE STREET, APN 002-441-21 AND 002-441-23 (4:22:45) - Vice Chairperson Kimbrough introduced this item. Ms. Pruitt provided an overview of the project, and suggested a presentation format. She reviewed the staff report, and advised of proposed changes to the conditions of approval, as follows: to add the words "with the exception of existing overhead lines" to condition of approval 20; to delete conditions of approval 24 and 28 due to inapplicability; to amend the language of condition of approval 11, at page 8, to state, "The temporary tract sales office within the model homes shall be for the exclusive use of selling homes located within the Mills Landing Planned Unit Development;" and to revise condition of approval 2 pertinent to the variance request, to have the variance time frame as well as the special use permit time frame run consistent with the tentative map time frame of 24 months. In addition, a single one-year extension of time may be granted if requested in writing to the Planning Division thirty days prior to the two-year expiration date. Ms. Pruitt invited the applicant to present the project.

(4:31:43) Susan Dorr, of Landmark Communities, provided an overview of her presentation and requested to address questions and comments following public testimony. She noted that the subject development is the first to be presented pursuant to the mixed-use residential designation defined in the comprehensive master plan adopted in April 2006. She narrated a PowerPoint presentation, which included an overview of the project; a description of the project location and proposed development; demographics and trends which have influenced the project design; pricing and affordability; review of a commercial market study; community amenities; access and circulation; landscaping, park facilities, and open space; proposed elevations; and the homeowners association. In reference to a written concern regarding the 30-foot setback between the property line and the first row of structures, Ms. Dorr noted that a 30-foot setback is generally intended, in a commercial zone, to buffer dissimilar uses. Residential uses wouldn't require as large a setback. She explained the reason for requesting the variance to the 20-foot periphery setback required for the planned unit development to maintain circulation and access. In addition, the 50-foot open space area is also a power easement within which construction is prohibited. With those site constraints and the proposed lot sizes, the developers believe the area would be best served with a lower density as well as a reduction in the setback requirement.

Ms. Dorr advised of agreement with the conditions of approval, except for conditions 2 and 3, and the recommendations set forth in the staff report. In response to a question, she pointed out the power line which will remain above ground. She acknowledged that the square footage allocated to common open space includes a portion of the front yards. She explained that the front yards are construed as open space because they are proposed to be maintained by the homeowners association. She responded to questions regarding the methods by which parking regulations would be enforced by the homeowners association. She pointed out the centrally located park on a displayed map, and acknowledged that it would be accessible to residents of the Millennium development. She acknowledged the general demographics displayed during the presentation are representative of Carson City. She advised that the market study revealed 65% of the target buyers would be from Carson City. She responded to questions regarding the additional bedrooms proposed following the market study. She agreed to consider the possibility of applying the same architecture to the rear of the structures on the north which abut the adjacent property. Commissioner Mullet expressed a preference for either shortening the driveways to prohibit parking or lengthening them to allow for parking. Vice Chairperson Kimbrough expressed concern over the driveway situation. Discussion took place regarding the garage sizes and the homeowners association. In response to a question, Ms. Dorr explained the applicant's disagreement with conditions of approval 2 and 3. In

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response to a further question, she expressed a willingness to include sidewalks on both sides of the streets if the driveway aprons could be reduced. In such case, there would be no need to revise the site plan. In response to a further question, she advised that allowing a reduced driveway would provide for the possibility of lengthening the garages to accommodate storage space.

(5:17:18) Ms. Pruitt requested the commission to leave the decision regarding the possibility of reducing the driveway apron to the Engineering and Planning Divisions in order to ensure the reduction satisfies all the requirements associated with the driveway as well as the public utilities easement. In response to a question, Ms. Pruitt advised that the code requires a minimum of 30% open space. In response to a further question, she advised that the sidewalks provide connectivity and are therefore counted as open space. In response to a question, Ms. Dorr advised that the back fence between the subject development and the Long Street Townhouses would be on the property line. Vice Chairperson Kimbrough commended the applicants on working with the Millennium Homeowners Association. He called for public comment.

(5:21:50) Mark Sivazlian referred to his letter which was included in the agenda materials. He expressed no opposition to development in general, and a preference for maintaining the open space adjacent to his residence. He expressed support for staff's solution to require sidewalks and extend the driveways. He expressed concern over traffic issues at the intersection of Long and State Streets, and requested that solutions be considered. He commended the proposed development, and its connectivity with the Millennium project. He advised that nothing had been offered to the Long Street Townhouse property owners, however. He compared the design to a "three-wheeled truck" in that the proposed development doesn't integrate completely with the surrounding community. He suggested there are fairly simple solutions such as relocating one of the ingress roads to border the townhouse property. He suggested that the five-foot buffer could be landscaped and that the Long Street Townhouse property owners could maintain continuity between the two developments. He acknowledged having been aware of the subject property's zoning designation with the associated setbacks at the time he purchased his property. Commissioner Mullet expressed support for the idea of relocating the ingress road. In response to a question, Mr. Sivazlian expressed a preference for a commercial development adjacent to the Long Street Townhouse property. He expressed concern over 24-hour-a-day occupancy of residences. He noted the configuration of the townhouses and that there are no backyards. He advised that there are no other residential developments with "houses backing up within a few feet of the fronts of other houses."

(5:31:37) Bruce Backman, President of the Long Street Townhouses Association and Managing Member of Moriah Properties LLC, expressed concern for the Long Street Townhouse property owners. He expressed the opinion that five-foot setbacks amount to "a bit of insanity." He advised that the townhomes are set back twenty feet "which is reasonable." He expressed support for compromise with property landscape, fencing, and architectural design to the rear of the residences. He reiterated that five feet "is insanity." He discussed improvements to the townhouse property since its purchase by Moriah Properties LLC, and expressed concern that the townhomes directly adjacent to the proposed development will again become rental properties. He expressed further concern that the proposed development doesn't incorporate the entire community. He commended incorporation of the Millennium development, but objected to neglect of the Long Street Townhouses. He offered to participate in negotiating a compromise, and expressed the opinion that "at the moment it's a horrible plan." He expressed a preference for eliminating the driveways and moving "these places up ... seven feet and work the situation that way; take out the sidewalks on that side, put the sidewalks on the other side of the street. You could buy yourself thirteen

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feet or so.” He reiterated his concern for the current residents and future buyers of the Long Street Townhouses, and requested the commissioners to consider his concerns in their decision-making process. In response to a comment, Mr. Backman advised of having owned the Long Street Townhouses for approximately eighteen months.

(5:38:13) Bill Bryant, of 1450 Millennium Terrace, inquired as to the boundaries of the proposed development, lighting, and amenities proposed for the park area. He expressed concern over criminal activity in the area of the proposed development. Vice Chairperson Kimbrough suggested that Mr. Bryant request that representatives of the Millennium Homeowners Association work with the developer regarding his concerns. Mr. Bryant expressed concerns over flooding issues associated with the boundary at the intersection of Molly Drive and Long Street. Vice Chairperson Kimbrough advised that a drainage analysis was submitted as part of the application, and that drainage facilities had been included in the plan. He suggested that Ms. Dorr address these issues in her rebuttal. Mr. Bryant inquired as to the stability of the hills behind the houses on Molly Drive in the Millennium subdivision. The original hydroseeding process did not take and the hill is “full of cheatgrass.”

Vice Chairperson Kimbrough called for additional public comment and, when none was forthcoming, offered the applicant an opportunity for redress. (5:43:31) Mark Rotter, of Capital Engineering, acknowledged an awareness of the discharge from the Millennium project. Storm waters will be collected in pipe systems and detention / retention basins. He further acknowledged an awareness of the erosion issues, and advised that the problem will be resolved. He advised of having spoken with Traffic Engineer Paul Solaegui, who was unable to attend this meeting because of a scheduling conflict. He provided an overview of the method by which the traffic study was conducted. He advised that the analysis at State and Long Streets, as well as Saliman Road and Long Street, are “very legitimate issues.” He explained that, based upon the amount of traffic, the worst case scenario would be a requirement for left-hand turn pocket striping. At fifty feet wide, State Street would allow for parking on both sides, two lanes, and a left-hand turn lane. A left-hand turn pocket would also need to be considered for Long Street. Mr. Rotter agreed to consider these issues and provide for appropriate mitigation. Discussion took place with regard to specific traffic scenarios.

(5:48:25) Ms. Dorr acknowledged having spent considerable time addressing connectivity between the proposed development and the Millennium project. She expressed a willingness to explore, with the Long Street Townhouses Association, access to the public areas within the Mills Landing development. She expressed the opinion that the Mills Landing developers considered adjacent properties by eliminating the potential for commercial development. Residential development is a “like use.” Ms. Dorr discussed detriments associated with commercial development, such as parking, loading, etc. With regard to the proximity of the residences to the Long Street Townhouses, she requested consideration of the fact that the townhouses are connected and, therefore, subject the “same disturbance issues amongst themselves that they would with us.” She expressed the belief that residential development, “in the long run and in general tends to be a less invasive use than ... commercial.” With regard to the proposed setbacks, she referred again to the residential versus commercial nature of the proposed development. She advised that a proposed commercial development would have observed the 30-foot setback as has been done between the residences and commercial proposed within the development. With regard to concerns over the Millennium open space, she advised that no lighting is proposed for the areas between Millennium and Mills Landing. She expressed the belief that the development will displace any criminal activity. She advised that the erosion problem will be addressed, and that the area will be reseeded in a joint effort between Landmark Communities and the Millennium Homeowners Association. In response to a question, she advised that all the homes are proposed to be two stories. Vice Chairperson Kimbrough suggested that single story

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homes adjacent to the existing neighborhoods may provide more of a "buffer feeling." Commissioner Semmens suggested changing the footprint, for homes 1-9, to allow for a ten-foot driveway and thereby provide fifteen feet between the residences and the townhouses. Ms. Dorr advised that the site is presently configured to indicate ten and twelve foot driveways. Reducing the driveways beyond the ten feet would allow for moving the homes forward and increasing the setback between the proposed development and the Long Street Townhouses.

In response to a question, Ms. Pruitt advised that the proposed development had not been submitted to the Parks and Recreation Commission. She advised that, as a matter of procedure, the proposed development was reviewed by Parks and Recreation Department staff. In response to a question, she reiterated the 30 percent open space requirement for the proposed development. She advised there is no open space or park requirement for a typical subdivision development.

(5:57:50) Park Planner Vern Krahn described the Parks and Recreation Department's process for reviewing proposed developments. He referred to the parks and recreation master plan element and advised that the neighborhood in which the proposed development is located has "100 percent of its population within walking distance" of existing parks. In response to a question, he listed the parks and recreation facilities available in the subject neighborhood, including Sunland Vista Park, Fulstone Wetlands, Fulstone Park, Blackwells Pond Park, Lone Mountain Park, Steinheimer Park, and Mills Park. Mr. Sullivan discussed the purview of the commission with regard to open space.

Vice Chairperson Kimbrough entertained a motion. **Commissioner Vance moved to recommend to the Board of Supervisors approval of tentative planned unit development application, known as Mills Landing, from Capital Engineering, property owner DGD Development and MSB Properties, to allow mixed-use development on approximately 10.14 acres, resulting in 94 single-family dwelling units on approximately 7.7 acres and commercial retail development on approximately 2.4 acres, with associated variances to allow a reduction in the 30-foot minimum building setback from an adjacent residential zoned district, PUD periphery setback reduction and to vary from 20-foot driveway requirement and related parking variances from City requirements and a special use permit request to allow residential uses in general commercial zoning district, in addition to model homes, temporary sales office, and associated flags, flagpoles, and associated zone change, on property zoned general commercial, located at 1208 East William Street and State Street, APN 002-441-21 and 002-441-23, based on 12 findings and subject to the recommended conditions of approval contained in the staff report. Commissioner Reynolds seconded the motion.**

In response to a question regarding conditions 2 and 3, Ms. Pruitt referred to the clarification offered at the beginning of this item. Commissioner Vance explained the intent of his motion to propose no variance in the driveway requirement. He referred to condition of approval 3 pertinent to the tentative map revision, and read the same into the record. Discussion took place regarding the motion. Commissioner Bisbee commended the project as well done and attractive, but expressed hesitation over approving it without the applicant having worked with the Long Street Townhouses Association. She expressed no opposition to an earlier suggestion to eliminating the driveway and thereby increasing the distance between the Long Street Townhouses and lots 1-9 of the Mills Landing project. She noted the only problem as the relationship between the northern boundary of the Mills Landing project and the Long Street Townhouses. Commissioner Reynolds referred to the mixed-use residential component of the comprehensive master plan, and the issue of integrating such projects into existing neighborhoods. He expressed less concern with "what goes on inside the development" with regard to driveway lengths, and a preference for no driveways or shorter driveways and an increased setback from the Long Street Townhouses. He expressed a further

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preference for a larger setback between new and existing developments in consideration of future projects. He suggested amending the motion to provide for ten-foot or shorter driveways and a 15- to 20-foot setback between the proposed development and the Long Street Townhouses. Commissioner Semmens agreed, and suggested the proposed amendment wouldn't cost the developer anything. Additional discussion took place with regard to the pending motion.

Commissioner Reynolds referred to the tentative map which indicated a minimum of 10-foot driveways. Requesting consideration of an increase in the setback toward the Long Street Townhouses would reduce the driveways to shorter than ten feet. Discussion followed, and Commissioner Mullet expressed support for an increased setback to the northern portion of the development. He expressed further support for a sidewalk on only one side of the street in favor of increased green space. He suggested that giving up sidewalks on each side of the street to allow for increasing the setback on the northern portion of the development is a "pretty reasonable consideration." Ms. Pruitt requested clarification with regard to the reduction of front yard setbacks. Vice Chairperson Kimbrough advised that the pending motion indicated a setback of 20 feet. Ms. Pruitt pointed out that, in consideration of the reduction in the driveway aprons, there may be some flexibility afforded to the applicant regarding the entire development rather than just those lots adjacent to the Long Street Townhouses. Mr. Sullivan agreed that the revision would benefit the entire development. Commissioner Mullet expressed concern over parking, and support for staff's suggestion. Mr. Sullivan noted that, in the single family 6,000 residential zone, the rear yard setback is ten feet. In response to a question, he advised that the conditions of approval pertinent to sidewalks are pursuant to the code. There is no engineering requirement for a 20-foot driveway.

(6:23:30) Mr. Sharp explained the intent of the 20-foot building setback to provide for a 20-foot driveway. He provided suggestions for a five-foot sidewalk and a five-foot driveway slab which would allow for shrinking "the entire development to the south and probably ... get maybe a 20-foot setback on the north boundary." He advised that green space would be lost in the front yards, but this would resolve the issue of sidewalks on both sides.

Commissioner Vance withdrew his motion, and Commissioner Reynolds withdrew his second. Mr. Sharp acknowledged a preference for sidewalks on both sides of the streets to accommodate pedestrian access to the off-site parking areas. Vice Chairperson Kimbrough entertained a motion. Commissioner Reynolds suggested a motion to remove condition of approval 3 pertinent to the tentative map in light of the discussion which indicated no preference for a 20-foot minimum depth driveway slab for all lots. Commissioner Reynolds proposed a motion to direct staff to work out the sidewalk and driveway issues with the developer. Commissioner Vance expressed support for the suggestion to provide for pedestrian access to the off-site parking areas.

Vice Chairperson Kimbrough entertained a motion. **Commissioner Vance moved to recommend to the Board of Supervisors approval of tentative planned unit development application, known as Mills Landing, from Capital Engineering, property owner DGD Development and MSB Properties, to allow a mixed-use development, on approximately 10.14 acres resulting in 94 single-family dwelling units on approximately 7.7 acres, and commercial retail development on approximately 2.4 acres, with associated variances; to allow for a reduction in the 30-foot minimum building setback from an adjacent residential zoning district, PUD periphery setback reduction, and to vary from 20-foot driveway requirement and related parking variances from City requirements; and a special use permit request to allow residential uses in general commercial zoning district in addition to model homes, temporary sales office, and associated flags, flagpoles, and associated zone change, on property zoned general commercial, located at 1208 East William Street and State Street, APNs 002-**

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441-21 and 002-441-23, based on the twelve findings and subject to the recommended conditions of approval; with the deletion of conditions of approval 24, 28, modification to condition of approval 20, which includes not burying the existing power line, and the condition to be submitted are included as part of the building permit application; that the temporary sales tract office be within the model homes; and on the variance recommended conditions of approval #2 that the variance not be initiated within two years and a one-year extension can be granted; and to remove the specific revision to the tentative map that would have provided for a 20-foot minimum driveway depth for all lots; and to leave in sidewalks on both sides throughout the subdivision as well as along the State Street frontage; and in lieu of providing a minimum depth driveway slab for all lots, to direct staff to work with the applicant on driveway depth. Commissioner Reynolds seconded the motion. Commissioner Bisbee inquired as to whether the Long Street Townhouse issues had been addressed by the motion. Discussion followed, and Mr. Sullivan advised that staff's direction would be to consider a shorter driveway for the lots on the north side that abut the Long Street Townhouses and applying it to the rear yard. In response to a question, he explained the request to vary the 20-foot periphery setback requirement. He acknowledged the direction for at least ten feet, "maybe more if it can happen." Vice Chairperson Kimbrough called for a vote on the pending motion; **motion carried 6-0. He recessed the meeting at 6:38 p.m. and reconvened at 6:50 p.m.**

G-6. TSM-06-203 ACTION TO CONSIDER THE FOLLOWING: TENTATIVE SUBDIVISION MAP APPLICATION, KNOWN AS SUMMER HAWK, FROM CAPITAL ENGINEERING (PROPERTY OWNERS: STANTON PARK DEVELOPMENT AND HANSLER, LLC), TO ALLOW CONSTRUCTION OF 201 RESIDENTIAL UNITS (WITH APPROXIMATELY 86.2 PERCENT COMMON AREAS / OPEN SPACE) ON APPROXIMATELY 548.2 ACRES, ON PROPERTY ZONED CONSERVATION RESERVE (CR) / SINGLE-FAMILY 12,000 (SF12), A SPECIAL USE PERMIT TO ALLOW COMPLIANCE OF THE CARSON CITY HILLSIDE ORDINANCE AND MODEL HOMES (ON LOTS 1, 2, 66, AND 67), A TEMPORARY SALES OFFICE AND ASSOCIATED FLAGS / FLAGPOLES, AND A VARIANCE TO ALLOW MINIMUM LOT SIZE REDUCTION FROM THE CONSERVATION RESERVE (CR) / SINGLE-FAMILY 12,000 (SF12) STANDARDS TO AN 8,000-SQUARE-FOOT MINIMUM LOT SIZE, IN ADDITION TO A REDUCTION IN SETBACK / LOT WIDTH STANDARDS, LOCATED ON RHODES STREET AND CURRY STREET, APNs 009-021-02, 009-031-01, 009-031-02, 009-031-07, AND 009-151-01 (6:50:46) - Vice Chairperson Kimbrough introduced this item. Ms. Pruitt provided an overview of this item, and requested that the applicant be allowed to present the project following staff's presentation. Ms. Eskew-Herrmann reviewed the staff report, and narrated pertinent slides. Ms. Pruitt continued reviewing the staff report. She noted proposed amendments to the following conditions of approval: #23 - to add the words "with the exception of the existing overhead power lines; #24 references the 96th residential lot, and the applicant has requested an amendment to indicate the 120th residential lot. Ms. Pruitt noted staff's agreement with the proposed amendment. To condition of approval 31(e), she requested to add the language "except for within the park development."; #54 to add the words "or LMD" prior to the words "as long as the subdivision contains 50 or more habitable lots."; and a correction to the bottom of page 16 of the staff report to read: "Improvements will include a 50-foot right-of-way with paving, ..." She advised that the applicant had been made aware of the proposed changes and would be available to address them.

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Supervisor Livermore moved to deny an ordinance changing the zoning of property located at 1400 and 1410 Koontz Lane, APN 009-331-21 and -22, from Single Family One Acre to Single Family 21,000. Supervisor Aldean seconded the motion. Motion was voted by roll call with the following result: Supervisor Williamson - Yes; Supervisor Staub - Yes; Supervisor Livermore - Yes; Supervisor Aldean - Yes; and Mayor Teixeira - Yes. Motion carried 5-0. Board comments clarified the Board action as upholding the Commission's denial on a 5-0 vote.

D. PRESENTATION OF THE CARSON CITY MASTER PLAN ANNUAL REPORT AND RECOMMENDATIONS FROM THE PLANNING COMMISSION REGARDING THE IMPLEMENTATION OF THE CARSON CITY MASTER PLAN. (FILE MPA-06-212) (10:26:020) - Supervisor Aldean explained her concern regarding mixing residential uses in commercial areas due to the limited amount of commercial area available in the community. She suggested that key neighborhoods be identified that will not have residential developments. Mr. Plemel explained that the master plan policy does not restrict the locations of mixed uses. Page 9, under established mixed use zoning districts, includes two policies that are considered high priorities for staff. Item 2.1.D is to develop standards for mixed use development to address compatibility issues. Staff is working on ordinances for the multi-family and PUDs for subdivision projects which will address compatibility issues and, more specifically, those developments with residential uses in commercial zones. He committed to undertaking this matter within the coming year. Mr. Sullivan disclosed a discussion/presentation held with the Commission regarding the issue. He committed to working on this issue very heavily during the coming year. Mayor Teixeira indicated that the concept of having retail on the ground floor and residential on the top is appropriate in the downtown area as well as other areas. No formal action was required or taken.

RECESS: A recess was declared at 10:30 a.m. The entire Board was present when Mayor Teixeira reconvened the meeting at 10:36 a.m., constituting a quorum.

E. ACTION TO APPROVE A TENTATIVE PLANNED UNIT DEVELOPMENT APPLICATION KNOWN AS MILLS LANDING FROM CAPITAL ENGINEERING (PROPERTY OWNER: DGD DEVELOPMENT AND MSB PROPERTIES) TO ALLOW A MIXED USE DEVELOPMENT ON APPROXIMATELY 10.14 ACRES RESULTING IN 94 SINGLE FAMILY DWELLING UNITS ON APPROXIMATELY 7.7 ACRES AND A COMMERCIAL/RETAIL DEVELOPMENT ON APPROXIMATELY 2.4 ACRES WITH ASSOCIATED VARIANCES TO ALLOW A REDUCTION IN THE 30 FOOT MINIMUM BUILDING SETBACK FROM AN ADJACENT RESIDENTIAL ZONING DISTRICT TO VARY FROM 20 FOOT DRIVEWAY REQUIREMENT, PUD PERIPHERY SETBACKS AND RELATED PARKING VARIANCES FROM CITY REQUIREMENTS AND A SPECIAL USE PERMIT REQUEST TO ALLOW RESIDENTIAL USES IN GENERAL COMMERCIAL (GC) ZONING DISTRICT IN ADDITION TO MODEL HOMES, TEMPORARY SALES OFFICE AND ASSOCIATED FLAGS/FLAGPOLES AND ASSOCIATED ZONE CHANGE ON PROPERTY ZONED GENERAL COMMERCIAL (GC), LOCATED AT 1208 EAST WILLIAM STREET AND STATE STREET, APN(S) 002-441-21 AND 002-441-23. (FILE TPUD-06-202) (10:36:10) - Senior Planner Jennifer Pruitt, Capitol Engineering Representative Susan Dorr, Jim Bawden, Mark Sivazlian - Ms. Pruitt stated for the record that there had been several meetings between City staff and

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CARSON CITY BOARD OF SUPERVISORS
Minutes of the December 21, 2006, Meeting
Page 11

the Applicant and his/her designers. The design had required collaboration on various suggestions and research. Both the City staff and the Applicant have discussed the project with concerned property owners and believe that the concerns have been resolved. The three issues of concern related to the buffer on the north side of the project, having sidewalks on both sides of the streets, the reduced driveway aprons and whether they provide adequate space to meet the community's/residential parking needs. The design that had been distributed addresses the buffer and sidewalk issues. The parking concerns have also been addressed. She reiterated for the record that they have been in contact with the Applicant and the neighbors regarding these concerns. The Applicant has clearly taken the concerns, incorporated them into the plan, and worked with the development to the north. There will be improvements to their open spaces. She concurred that these changes were "nice things to do", however, the project's approval was not contingent upon them. The Commission had a lengthy discussion on these items. It was determined that the Applicant could work with staff to resolve the issues. The Applicant has stipulated to those changes and will do so during the meeting.

Ms. Dorr described the project, including its location, through the use of computerized slides. Mr. Bawden indicated that half of the Millennium project had been sold as starter homes for young families. Their study of Northern Nevada's demographics indicated a need for additional housing for the first time home buyers and for the senior population. The Millennium homes had a starting price of \$98,500 and ranged in size from 900 to 1400 square feet. Today these homes are retailing at \$240,000 to \$260,000. Ms. Dorr continued her description of the project, justifying its design and pricing, and stressing its affordability. Their research regarding the commercial area was limited. A map illustrating the shopping and walking area for the development was shown to illustrate the commercial support provided to the development. Discussion indicated that its pocket park will be maintained by the Homeowners Association. Residential Construction Tax funds will not be used for the park. There will be 100 plus parking spaces provided in the development. The driveways will be shorter. Justification for having sidewalks on both sides of the street was provided. The revised site plan was included in the Board's packet and shown as part of the slides. She then explained the revisions made at the Planning Commission's meeting, including the 20-foot buffer between the project and the northern neighbor(s) and its landscaping, which included trees. Space for the additional buffer was created by reducing the length of the driveways and by moving the housing further south. Sidewalks on both sides of the street were also added as part of the redesign. As the streets will be privately owned, the homeowners' association will be responsible for snow plowing and parking and street enforcement. It will not be a "gated community". Supervisor Staub suggested that signage be posted at the entrances to advise the motorist that on-street parking is not allowed. Discussion explained that Capital Sanitation will pickup the trash at the curb. An illustration of this service was shown. Public comments were solicited.

Mr. Sivazlian indicated that he had concerns when the development was discussed at the Planning Commission. Landmark and Mark Rotter have been gracious in acknowledging those concerns. His concerns related to the setback between the development and his townhouse, the parking and the traffic design. Discussion explained that Mr. Sivazlian's townhouse had been converted to a condominium. The Long Street Townhouses were then sold as owner occupied or to be held by investors. He had purchased his unit. A description of the units and the amount he paid for his was provided. He complimented City staff and the Commission on their efforts to encourage good developments. He urged the Board to provide appropriate guidelines for staff in making their decisions. Flexibility needs to be included to provide a balance between

CARSON CITY BOARD OF SUPERVISORS
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uses. He also thanked the Board for allowing him to express his concerns. Mayor Teixeira felt that neighbors will continue to bring items of concern to the attention of the Board, Commission, and staff. He thanked Mr. Sivalzlian for his comments. Additional public comments were solicited but none given.

Supervisor Staub moved to approve a Tentative Planned Unit Development application known as Mills Landing from Capital Engineering, property owner: DGD Development and MSB Properties, to allow a mixed use development on approximately 10.14 acres resulting in 94 single family dwelling units on approximately 7.7 acres and a Commercial/Retail development on approximately 2.4 acres with associated Variances to allow a reduction in the 30-foot minimum building setback from an adjacent residential zoning district, to vary from 20-foot driveway requirement, PUD periphery setbacks, and related parking variances from City requirements and a Special Use Permit request to allow residential uses in General Commercial, GC, zoning district in addition to model homes, temporary sales office, and associated flags/flagpoles and associated zone change on property zoned General Commercial, GC, located at 1208 East William Street and State Street, APNs 002-441-21 and 002-441-23, File TPUD-06-202. Supervisor Livermore seconded the motion. Motion carried 5-0.

F. ACTION TO APPROVE A TENTATIVE COMMON OPEN SPACE SUBDIVISION MAP APPLICATION KNOWN AS SUMMER HAWK FROM CAPITOL ENGINEERING (PROPERTY OWNER: STANTON PARK DEVELOPMENT AND HANSLER, LLC) TO ALLOW CONSTRUCTION OF 201 RESIDENTIAL UNITS ON APPROXIMATELY 75 ACRES WITH APPROXIMATELY 473 ACRES IN OPEN SPACE TOTALING APPROXIMATELY 548 ACRES ON PROPERTY ZONED CONSERVATION RESERVE (CR)/SINGLE FAMILY 12,000 (SF 12) AND TO ALLOW A LOT SIZE REDUCTION FROM THE CONSERVATION RESERVE (CR) AND SINGLE FAMILY 12,000 (SF12) STANDARDS TO AN 8,000 SQUARE FOOT MINIMUM LOT SIZE, IN ADDITION TO A REDUCTION IN SETBACK/LOT WIDTH STANDARDS. THIS DEVELOPMENT IS LOCATED APPROXIMATELY 1,030 FEET WEST OF THE INTERSECTION OF RHODES AND SOUTH CURRY STREET APN'S 009-021-02, 009-031-01, 02, 07, AND 009-151-01. (FILE TSM-06-203) (11:05:20) - Senior Planner Jennifer Pruitt, Applicant's Representative Mark Rotter, Open Space Manager Juan Guzman, David Ruf - Mr. Sullivan explained that the District Attorney's office had indicated that I. W. Helgren's issues are civil matters and have no bearing on the development. Mr. Helgren's letter raises the same issue as had been raised at the Planning Commission's meeting. Mr. Sullivan supported the District Attorney's opinion. Ms. Pruitt indicated for the record that the project had gone through conceptual reviews by staff, the Planning Commission, the Parks and Recreation Commission, and the Open Space Advisory Committee. It has also had several reviews by the Engineering Division, the Planning Division, the Fire Department, the Parks and Recreation Division, and many other City Departments. The revised conditions of approval were limned. The Applicant had made the necessary findings to support his application. The Planning Commission and staff recommended approval. Mr. Sullivan explained the project's review by the Parks and Recreation Commission and staff. Conditions 46 to 50 address their concerns related to the restroom facilities. When the Applicant submits the development plans, they will be reviewed to ensure their compliance with Parks and Recreation standards. The Applicant/Applicant's Representative had stipulated at the Planning Commission hearing that he understood the portable toilet



Civil Engineers
 Surveyors
 Water Resources Engineers
 Water & Wastewater Engineers
 Construction Managers
 Environmental Scientists
 Landscape Architects
 Planners

October 13, 2010

Mr. Lee Plemel, AICP, Planning Division Director
 Carson City Community Development
 108 E. Proctor Street
 Carson City, NV 89701

RE: Extension of Time Request – Mills Landing Planned Unit Development Tentative Map, Special Use Permit & Variances (TPUD-06-202)

Dear Mr. Plemel:

On behalf of Mills Landing, LLC and DGD Development, Manhard Consulting, Ltd. respectfully requests an extension of time for the Planned Unit Development Tentative Map, Special Use Permit and Variances associated with Mills Landing (TPUD 06-202) from the current December 21, 2010 expiration to December 21, 2012.

The Carson City Board of Supervisors approved the Mills Landing Planned Unit Development Tentative Map, Special Use Permit and Variances on December 21, 2006 to allow for a mixed-use development on 10.1 acres resulting in 94 single-family residential units on 7.7 acres and a commercial/retail development on 2.4 acres. The project is located just north of the intersection of Williams Street and State Street (APNs 002-441-21 and 002-441-23). This approval is based on the findings contained in Community Development's staff report and is subject to the conditions of approval contained in the Notice of Decision. A copy of the original Notice of Decision is attached to this letter.

On December 18, 2008 all original approvals stated herein received time extensions to December 21, 2009, and were then automatically extended to December 21, 2010 under Carson City Zoning Code Amendment ZCA-09-056 and Assembly Bill 74. The Notice of Decision and subsequent correspondence from Carson City Community Development are also attached to this letter.

The Mills Landing Tentative Map, Special Use Permit and Variances are scheduled to expire on December 21, 2010 unless a final map is recorded or an extension is granted. Due to difficulties with the final coordination of the project and the current state of the residential housing market, a final map will not be recorded prior to the expiration date. Therefore, we would like to request that a two-year extension be granted.

If you have any questions regarding this request please feel free to contact me at (775) 332-4716 or via email at sdorr@manhard.com.

Sincerely,

Susan Dorr
 Planning & Entitlement Manager

Attachments

cc: John Serpa, DGD Development

Manhard Consulting, Ltd.
 3476 Executive Pointe Way, Suite 12 • Carson City, Nevada 89706
 tel. [775] 882-5630 • fax [775] 885-7282 • www.manhard.com
 ARIZONA • COLORADO • GEORGIA • ILLINOIS • INDIANA • NEVADA

**DEVELOPMENT
SERVICES
DEPARTMENT**

■ **ADMINISTRATION**

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

■ **BUILDING and
SAFETY DIVISION
PERMIT CENTER**

2621 Northgate Lane, Suite 6
Carson City, NV 89706-1319
Ph: 775-887-2310
Fx: 775-887-2202

■ **CAPITAL PROJECTS**

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

■ **CONTRACTS**

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

■ **ENGINEERING DIVISION**

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

■ **FLEET SERVICES**

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

■ **PLANNING DIVISION**

2621 Northgate Lane, Suite 22
Carson City, NV 89706-1319
Ph: 775-887-2180
Fx: 775-887-2278

■ **PUBLIC WORKS OPERATION**

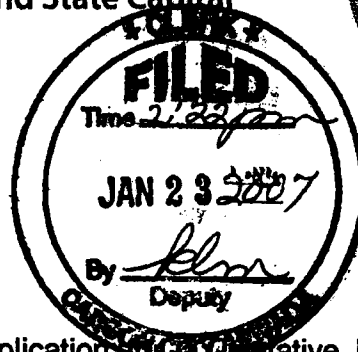
(Water, Sewer, Wastewater,
Streets, Landfill, Environmental)
3505 Butti Way
Carson City, NV 89701-3498
Ph: 775-887-2355
Fx: 775-887-2112

■ **TRANSPORTATION**

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

CARSON CITY NEVADA

Consolidated Municipality and State Capital



**BOARD OF SUPERVISORS
DECEMBER 21, 2006**

NOTICE OF DECISION

A request for approval of an application for a Tentative Planned Unit Development known as Mills Landing from Capital Engineering (property owner: DGD Development & MSB Properties) to allow a mixed use development on approximately 10.14 acres resulting in 94 single family dwelling units on approximately 7.7 acres and a Commercial/Retail development on approximately 2.4 acres with associated Variances to allow a reduction in the 30 foot minimum building setback from an adjacent residential zoning district to vary from 20 foot driveway requirement, PUD periphery setbacks and related parking variances from city requirements and a Special Use Permit request to allow residential uses in General Commercial (GC) zoning district in addition to model homes, temporary sales office and associated flags/flagpoles and associated zoned change on property zoned General Commercial (GC), located at 1208 E. William Street and State Street, APN(s) 002-441-21 and 002-441-23, pursuant to the requirements of the Carson City Municipal Code.

The Board of Supervisors conducted a public hearing on December 21, 2006, in conformance with City and State legal requirements, and approved the Tentative Planned Unit Development (File TPUD-06-202) based on the 12 findings contained in the staff report and subject to the following 41 TPUD conditions of approval, 15 Special Use Permit conditions of approval and 9 Variance conditions of approval.

CONDITIONS OF APPROVAL

The following shall be specific revisions to the Tentative Map:

1. Show the proposed emergency access gate to the commercial area, and coordinate with Carson City Fire Department on appropriate lock or strobe actuation system to open the gate. This will help prevent the public from attempting to use the access gate as a primary access point.
2. Show sidewalks on both sides of all streets throughout the subdivision as well as along the State Street frontage.

~~3. Provide 20-foot minimum depth driveway slabs for all lots.~~

4. A revised tentative map shall be reviewed and signed by the Planning Director and City Engineer.

Specific Conditions to be included in the design of the Improvement Plans:

5. Street lighting is required along all frontages in accordance with Carson City Development Standards (CCDS) 12.14.
6. In accordance with CCDS 12.10 and 12.11.10, pavement sections shall be based on subgrade strength values determined by Resistance $\text{\textcircled{R}}$ Value or California Bearing Ratio (CBR) as shown in the Soils Engineering Report. Refer to CCDS Division 17 for soils report requirements. In no case shall the proposed pavement section be less than the minimum section prescribed in standard drawing C-1.11.
7. Storm drainage facility improvements shall be designed in accordance with CCDS Division 14. A Technical Drainage Study is required with submittal of Improvement Plans in accordance with CCDS 14.9 through 14.10.
8. On site storm runoff detention shall be sized to limit flows from a 5-year storm (Q5) to their predeveloped condition, in accordance with CCDS 14.1.8.
9. In accordance with CCDS 15.3, water mains shall be analyzed to determine system capability to provide adequate flows and pressures, and sewer mains shall be analyzed to determine system capability to provide capacity for the ultimate tributary population. These analyses shall be prepared by qualified Nevada Civil Engineers.
10. Coordinate with the local postmaster for details and locations of mailboxes.

The following shall be completed prior to submittal of construction/improvement plans or final map:

11. The applicant shall follow all recommendations contained in the project soils and geotechnical report. Two copies of the report shall be submitted with any improvement plans.
12. The applicant must sign and return the Notice of Decision / conditions of approval within 10 days of receipt of notification. If the Notice of Decision is not signed and returned within 10 days, the item may be rescheduled for the next Planning Commission meeting for further consideration.
13. The applicant shall adhere to all Carson City standards and requirements for water and sewer systems, grading and drainage, and street improvements, as outlined in the Development Standards and other applicable Divisions and as required by the Standard Specifications and Details for Public Works Construction, as adopted by

Carson City. No deviations from the standards are allowed unless specifically noted on the approved tentative map.

14. The applicant shall obtain a dust control and stormwater pollution prevention permit from the Nevada Division of Environmental Protection (NDEP). The site grading must incorporate proper dust control and erosion control measures.

The following shall be completed prior to submittal of any final map:

15. Prior to submittal of any final map or parcel maps, Development Engineering shall approve all on-site and off-site improvements. Final improvement plans for the development shall be prepared in accordance with CCDS Division 19 and the Standard Specifications.
16. 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.
17. Prior to the recordation of the final map for any phase of the project, the improvements associated with said phase must either be constructed and approved by the city, or the specific performance of said work secured by providing the city with a proper surety in the amount of 150 % of the engineers 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 10% of the engineer's estimate to secure the Developers obligation to repair defects in workmanship and materials which appear in the work within one year of acceptance by the city.

The following shall be included with the submittal of construction/improvement plans or submittal of a final map:

18. The plans and final map shall reflect 10 foot wide Public Utility Easements along all street frontages and 5 foot wide Public Utility Easements along all side and rear lot lines.
19. Each phase of the development will be required to submit a set of improvement plans for all on-site and off-site improvements necessary to complete that specific phase.
20. Placement of all utilities shall be underground within the development, with the exception to the existing overhead power lines.
21. Improvement plans for the final map phase that includes the 47th residential lot shall include all remaining improvements for open space, park areas and paths for the entire development. Park, open space and path improvements shall be constructed or bonded for prior to recording the final map; however, a notice of completion for all park, open space and path improvements must be issued prior to issuance of building permits for the 47th or subsequent residential lots.

22. All fencing on corner lots must meet sight distance area requirements of CCMC Development Standards Division 1, Land Use and Site Design.
23. All landscaping proposed within the subdivision on site shall be in compliance with CCMC Development Standards Division 3, Landscaping.
24. Municipal water and sewer facilities, as well as natural gas, electric and cable television services shall be extended to serve the development.
25. The applicant will provide on-site bus stops that will be incorporated in the site planning of the proposed project per Carson City School District regulations if needed.

The following must be submitted or included with the final subdivision map:

26. The final map(s) shall be in substantial accord with the approved Tentative Map and the approved Tentative Map shall be signed by the Mayor, Planning Commission Chairman and the Planning Director.
27. Notes shall be added to the final map:
 - A. "These parcels are subject to Carson City's Growth Management Ordinance and all property owners shall comply with provisions of said ordinance."
 - B. "All development shall be in accord with Tentative Map (TPUD-06-202)."
28. All street names shall be reviewed and approved by Carson City's GIS Department. The approved names shall be shown on the final map.
29. All other departments' and State agencies conditions of approval, which are attached, shall be incorporated as conditions of approval.
30. A copy of the signed Notice of Decision.
31. Evidence from the City Health Department and Fire Department that the applicable department's requirements have been satisfied, including but not limited to the location of all fire hydrants.

The following are general conditions of approval:

32. Any lots and/or phased areas not planned for immediate development will be left undisturbed and no mass grading and clearing of natural vegetation will be allowed.
33. All disturbed areas are required to have a palliative applied for dust control. Any and all grading will comply with State and City regulations.

34. Building permits for home construction will not be issued until streets and infrastructure improvements are deemed substantially complete by the City Engineer.
35. 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, **no construction on Sunday**. If the hours of construction are not adhered to, the Carson City Building and Safety Division 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.
36. A Final Subdivision Map for the property must be recorded within two years of the date of Tentative Subdivision Map approval by the Board of Supervisors. The applicant is responsible for complying with the required conditions of approval and submitting a final map that complies with all conditions of approval at least 30 days prior to the tentative map expiration date. A one-year extension of the tentative map approval period may be granted by the Board of Supervisors upon written request **at least 30 days prior to the tentative map expiration date**.
37. The proposed lots shall **not** be further parceled, split or divided in any manner that will result in additional residential lots.
38. Exterior building colors should blend with surrounding development and not cause abrupt changes. Primary building surfaces (excluding trim areas) should be muted or earth-tone in color. Bold colors shall be avoided except when used as accent or trim. The exterior building elevations will be subject to the review and approval of the Planning Division.
39. Mills Landing will utilize lighting options which include Sierra Pacific Street lights. The lighting fixtures include a variety of designs which Sierra Pacific designs, installs, operates and maintains. All fixtures will incorporate cut-off options supporting the "Dark Skies" initiative.
40. There shall be no parking on private streets nor in driveways with vehicles obstructing the sidewalks at any time.
41. Guest parking and individual unit parking spaces shall be signed accordingly.

SPECIAL USE PERMIT RECOMMENDED CONDITIONS OF APPROVAL

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

1. The applicant must sign and return the Notice of Decision / conditions of 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.

2. The applicant (property owner and successors) must meet all of the conditions of approval and commence the use (obtain and maintain a valid building permit) for which this Permit is granted within 24 months of the date of final approval. A single, one-year extension of time may be granted if requested in writing to the Planning and Community Development Division thirty days prior to the one-year expiration date. Should this Permit not be initiated within one year and no extension granted, the Permit shall become null and void.

General conditions required to be incorporated into the proposed development plan:

3. All development must be substantially in accordance with the development plans approved with this application, except as otherwise modified by the conditions of approval herein.
4. All on- and off-site improvements must conform to City standards, requirements and implementation timing, as required by the Development Services Engineering Division and the Public Works Division.
5. This project shall meet fire codes and ordinances pertinent to the building type and occupancy classification.

The following shall be submitted or included as part of a building permit application:

6. The applicant must obtain a building permit for this project. Complete plans must be submitted to the Building Department for review. Accessibility, parking and landscaping are only a portion of what will need to be addressed on the plans. The Building Permit must be issued to a Nevada State Licensed Contractor with a Carson City Business License.
7. The applicant must submit a copy of the Notice of Decision / conditions of approval, signed by the applicant and owner.
8. The applicant must submit landscape plans in compliance with the Carson City Development Standards, Division 3 (Landscaping).
9. The applicant must obtain a Certificate of Occupancy and/or final inspection and approval for all required improvements.
10. The flags/flagpoles that are approved with this Special Use Permit shall be removed with the cessation of the model homes.
11. The temporary tract sales office within the model homes shall be for the exclusive use of selling homes located within the Mills Landing Planned Unit Development.
12. The hours of operation of the sales office shall be as proposed by the applicant; daily,

from 10:00 am to 6:00 pm seven days a week. The hours of operation may be extended upon written request to the Community Development Director.

13. Outdoor lighting shall be residential in character. All light sources shall be located and installed in such a way as to prevent spillover lighting onto adjoining properties, and glare to the sky.
14. On-site parking is shall be provided to accommodate the parking generated by the proposed temporary tract sales office and model homes. The applicant will provide parking options for review and approval by the Development Engineering and Planning Divisions.
15. The proposed development is limited to 20 flags/flagpoles to identify the sales center.

VARIANCE RECOMMENDED CONDITIONS OF APPROVAL

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

1. The applicant must sign and return the Notice of Decision / conditions of 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.
2. The applicant shall meet all the conditions of approval and commence the use (obtain and maintain a valid building permit) for which this permit is granted within 24 months of the date of final approval. A single, one-year extension of time may be granted if requested in writing to the Planning and Community Development Division thirty days prior to the ~~one~~ two year expiration date. Should this Variance not be initiated within one year and no extension granted, the Variance shall become null and void.

Conditions required to be incorporated into the proposed development plan.

3. All development shall be substantially in accordance with the development plans approved with this application, except as otherwise modified by the conditions of approval herein.
4. The setbacks (building envelopes) for this development shall be as depicted on the site plan approved with this application.
5. Conformance to the conditions of TPUD-06-202.
6. All improvements shall conform to City standards and requirements.

The following shall be submitted or included as part of a building permit application:

7. The applicant shall obtain a building permit from the Carson City Building and Safety Division for the proposed construction.
8. The applicant shall submit a copy of the Notice of Decision / conditions of approval, signed by the applicant and owner.
9. The applicant shall obtain a Certificate of Occupancy and/or final inspection and approval for all required improvements.

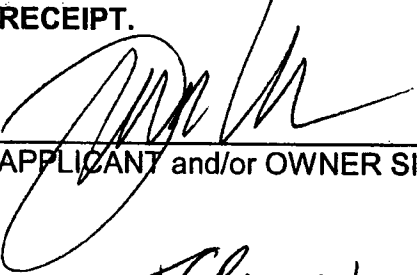
This decision was made on a vote of 5 ayes and 0 nays.



Walter A. Sullivan, AICP
Planning Division Director

Mailed 1/26/07, By RMT

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



APPLICANT and/or OWNER SIGNATURE

1/26/07
DATE

J.F. Bando

(Applicant and/or Owner Printed Name)

RETURN TO

Carson City Planning Division
2601 Northgate Lane, Suite 62
Carson City, NV 89706



CARSON CITY, NEVADA
CONSOLIDATED MUNICIPALITY AND STATE CAPITAL
DEVELOPMENT SERVICES

★ CLERK ★
FILED

Time 10:15a

DEC 31 2008

By K. King
Deputy
Carson City, Nevada

**BOARD OF SUPERVISORS
DECEMBER 18, 2008**

NOTICE OF DECISION

A request for approval was received for a one year extension of the Final Map for the Planned Unit Development known as Mills Landing (TPUD-06-202), located at 1208 E. William Street and State Street, pursuant to the requirements of the Carson City Municipal Code.

The Board of Supervisors conducted a public hearing on December 18, 2008, in conformance with the City and State legal requirements, and approved the one year extension of the Final Map for the Planned Unit Development known as Mills Landing (TPUD-06-202) located at 1208 E. William Street and State Street, to remain valid until December 21, 2009, pursuant to the requirements of the Carson City Municipal Code.

This decision was made on a vote of 5 Ayes, 0 Nays.


Lee Plengel, Planning Director

LP/jmb

Mailed: 12/31/08

By: RMT

PLANNING DIVISION • 2621 Northgate Lane, Suite 62 • Carson City, Nevada 89706
Phone: (775) 887-2180 Fax: (775) 887-2278 E-mail: plandiv@ci.carson-city.nv.us





Civil Engineers
Surveyors
Water Resources Engineers
Water & Wastewater Engineers
Construction Managers
Environmental Scientists
Landscape Architects
Planners

November 19, 2008

Mr. Lee Plemel, AICP, Planning Division Director
Carson City Community Development
2621 Northgate Way #62
Carson City, NV 89706

RE: Extension of Time Request - Mills Landing Planned Unit Development, Special Use Permit (APNs 002-441-21 and 002-441-23)

Dear Mr. Plemel:

On behalf of DGD Development and MSB Properties, Manhard Consulting, Ltd. (formerly Capital Engineering) respectfully requests an extension of time for the Tentative Map Special Use Permit associated with the Mills Landing Planned Unit Development (TPUD-06-202) from the current December 21, 2008 expiration to December 21, 2009.

The Carson City Board of Supervisors approved the Planned Unit Development Special Use Permit on December 21, 2006 to allow residential uses in the General Commercial (GC) zoning district, in addition to model homes, temporary sales office and associated flags/flagpoles. This approval is based on the findings contained in Carson City Community Development's staff report and is subject to the conditions of approval contained in the Notice of Decision (attached). The approval allowed for a mixed-use development on approximately 10.14 acres, resulting in 94 single-family dwelling units on approximately 7.7 acres and a commercial/retail development on approximately 2.4 acres. The project is located at 1208 E. Williams Street and State Street (APNs 002-441-21 and 002-441-23).

The Notice of Decision states that the applicant shall meet all the conditions of approval and commence the use (obtain and maintain a valid building permit) for which the Special Use Permit was granted within 24 months of the date of final approval. The Notice of Decision also states a single, one-year extension of time may be granted, if requested in writing to the Planning and Community Development Division thirty (30) days prior to the expiration date.

The Special Use Permit is scheduled to expire on December 21, 2008, unless a valid building permit is obtained or a one-year extension is granted. Due to difficulties with the final coordination of the project and the current state of the residential housing market, a building permit will not be acquired prior to the expiration date. Therefore, we request that a one-year extension be granted.

If you have any questions regarding this request please feel free to contact me at (775) 332-4716 or via email at sdorr@manhard.com. Thank you for your assistance.

Sincerely,

Susan Dorr
Planning & Entitlement Manager

Attachment

cc: John Serpa, DGD Development

Manhard Consulting, Ltd.

3476 Executive Points Way, Suite 12 • Carson City, Nevada 89706

tel: (775) 882-5630 • fax: (775) 885-7282 • www.manhard.com

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November 19, 2008

Mr. Lee Plemel, AICP, Planning Division Director
Carson City Community Development
2621 Northgate Way #62
Carson City, NV 89706

**RE: Extension of Time Request – Mills Landing Planned Unit Development, Variances
(APNs 002-441-21 and 002-441-23)**

Dear Mr. Plemel:

On behalf of DGD Development and MSB Properties, Manhard Consulting, Ltd. (formerly Capital Engineering) respectfully requests an extension of time for the Variances associated with the Tentative Map for the Mills Landing Planned Unit Development (TPUD-06-202) from the current December 21, 2008 expiration to December 21, 2009.

The Carson City Board of Supervisors approved the Variances on December 21, 2006 to allow a reduction in the 30-foot minimum building setback from an adjacent residential zoning district, to vary from the 20-foot driveway requirement, to reduce PUD periphery setbacks and related parking variances from city requirements. This approval is based on the findings contained in the Carson City Community Development's staff report and is subject to the conditions of approval contained in the Notice of Decision (attached). The approval allowed for a mixed-use development on approximately 10.14 acres resulting in 94 single-family dwelling units on approximately 7.7 acres and a commercial/retail development on approximately 2.4 acres. The project is located at 1208 E. William Street and State Street (APNs 002-441-21 and 002-441-23).

The Notice of Decision states that the applicant shall meet all the conditions of approval and commence the use (obtain and maintain a valid building permit) for which the Variance was granted within 24 months of the date of final approval. The Notice of Decision also states a single, one-year extension of time may be granted, if requested in writing to the Planning and Community Development Division thirty (30) days prior to the expiration date.

The Variances are scheduled to expire on December 21, 2008, unless a valid building permit is obtained or a one-year extension is granted. Due to difficulties with the final coordination of the project and the current state of the residential housing market, a building permit will not be acquired prior to the expiration date. Therefore, we request that a one-year extension be granted.

If you have any questions regarding this request please feel free to contact me at (775) 332-4716 or via email at sdorr@manhard.com. Thank you for your assistance.

Sincerely,

Susan Dorr
Planning & Entitlement Manager

Attachment

cc: John Serpa, DGD Development

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November 19, 2008

Mr. Lee Plemel, AICP, Planning Division Director
Carson City Community Development
2621 Northgate Way #62
Carson City, NV 89706

**RE: Extension of Time Request - Mills Landing Planned Unit Development, Tentative Map
(APNs 002-441-21 and 002-441-23)**

Dear Mr. Plemel:

On behalf of DGD Development and MSB Properties, Manhard Consulting, Ltd. (formerly Capital Engineering) respectfully requests an extension of time for the Tentative Map associated with the Mills Landing Planned Unit Development (TPUD-06-202) from the current December 21, 2008 expiration to December 21, 2009.

The Carson City Board of Supervisors approved the Planned Unit Development Tentative Map on December 21, 2006 to allow for a mixed-use development on approximately 10.14 acres resulting in 94 single-family dwelling units on approximately 7.7 acres and a commercial/retail development on approximately 2.4 acres. This approval is based on the findings contained in Carson City Community Development's staff report and is subject to the conditions of approval contained in the Notice of Decision (attached). The project is located at 1208 E. William Street and State Street (APNs 002-441-21 and 002-441-23).

The Notice of Decision states that, in accordance with Nevada Revised Statutes (NRS) 278.360 (1.c), a final subdivision map must be recorded within two years of the date of the tentative map final approval. The Notice of Decision also states that a single, one-year extension of time may be granted by the Board of Supervisors, if requested in writing at least 30 days prior to the expiration date.

The Tentative Map is scheduled to expire on December 21, 2008, unless a valid building permit is obtained or a one-year extension is granted. Due to difficulties with the final coordination of the project and the current state of the residential housing market, a building permit will not be acquired prior to the expiration date. Therefore, we request that a one-year extension be granted.

If you have any questions regarding this request please feel free to contact me at (775) 332-4716 or via email at sdorr@manhard.com.

Sincerely,

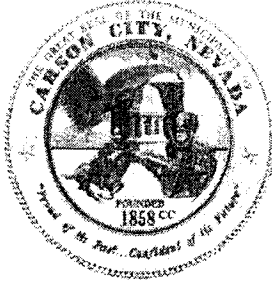
A handwritten signature in black ink, appearing to read 'Susan Dorr', is written over a faint, larger version of the signature.

Susan Dorr
Planning & Entitlement Manager

Attachment

cc: John Serpa, DGD Development

Manhard Consulting, Ltd.
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tel: (775) 882-5830 • fax: (775) 885-7262 • www.manhard.com
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www.carson-city.nv.us

SEP 10 2009
orig: file
copy: Mark
Susan
Yvonne

September 09, 2009

Manhard Consulting, Ltd.
Mark Rotter P.E.
3476 Executive Pointe Way, Suite 12
Carson City, NV 89706

Subject: Mills Landing
TPUD-06-202

Dear Mr. Rotter:

This purpose of this letter is to inform you that the expiration date for the Planned Unit Development known as Mills Landing has been extended under the Carson City Municipal Code change Zoning Code Amendment, ZCA-09-056. Carson City recently amended Title 17, Subdivision, to create standards consistent with the provisions of the recently amended Nevada Revised Statutes. This is related to approval periods for Tentative Subdivision Maps, resulting from adopted Assembly Bill 74 (AB 74).

Carson City has determined that the purpose of ZCA-09-056 as it relates to AB 74 is to extend the expiration dates of previously approved Tentative Maps and Planned Unit Developments. The extension includes an extension of time for filing final maps from a two year period of time to four years after the initial tentative approval and an increase of the time for filing subsequent phase maps from one year to two years. The opportunity of a two year extension by the Board of Supervisors is possible with a written request at least 30 days prior to the expiration date.

The amended expiration date for the Tentative Planned Unit Development Map known as Mills Landing has been changed to December 21, 2010.

Thank you for your cooperation and willingness to work with City staff regarding this matter. If you have further questions or would like to arrange a meeting to discuss this further, please contact this office at your earliest convenience at (775) 887-2180.

Sincerely,
Public Works Department, Planning Division

Jennifer Pruitt

Jennifer Pruitt, AICP, LEED AP
Principal Planner

cc: Jeff Sharp, City Engineer
Subdivision File
Planning Tickler File

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