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**City of Carson City
Agenda Report**

Date Submitted: April 24, 2007

Agenda Date Requested: May 3, 2007

Time Requested: 40 minutes

To: Mayor and Board of Supervisors

From: Planning Division, Development Services Department

Subject Title: Action to consider a Tentative Subdivision Map application known as Combs Canyon Phase II, from Lumos Engineers for Barton Properties, Inc., (property owner: Combs Canyon, LLC) to review a subdivision map that consists of 19 lots on approximately 25 acres, on property zoned Single Family One Acre(SF1A) located on Combs Canyon Road, APN 007-091-72. (File TSM-07-027)

Staff Summary: This Tentative Subdivision Map is a request to allow the proposed residential development known as Combs Canyon II. The request would result in the subdivision of the subject property into 19 single-family residential lots. The proposed lot sizes for the Combs Canyon II Subdivision request is from one acre to 1.81 acres, with an average lot size of 1.31 acres.

Type of Action Requested:

- Resolution
- Formal Action/Motion
- Ordinance
- Other (Specify)

Does This Action Require A Business Impact Statement: Yes No

Planning Commission Action: Recommended approval 4 Ayes, 2 Nays and 1 Absent at the regularly scheduled Planning Commission Meeting of March 28, 2007.

Board Of Supervisor's Action: On April 19, 2007 continued the Tentative Map application to May 03, 2007 BOS meeting.

Recommended Board Action:

(A) I move to approve a Tentative Subdivision Map application known as Combs Canyon Phase II, from Lumos Engineers for Barton Properties, Inc., (property owner: Combs Canyon, LLC) to review a subdivision map that consists of 19 lots on approximately 25 acres, on property zoned Single Family One Acre(SF1A) located on Combs Canyon Road, APN 007-091-72, subject to the conditions of approval and any stipulations made by the applicant or his representative and based on findings of fact contained in the staff report.

(B) I move to **Deny** a Tentative Map application known as Combs Canyon II based on the findings of fact as provided by the staff.

Explanation for Recommended Board Action:

The Board of Supervisors has the authority to approve all tentative subdivision map applications pursuant to CCMC and NRS 278.

Applicable Statute, Code, Policy, Rule or Regulation: CCMC 17.05 (Tentative Maps), 18.02.050 (Review).

Fiscal Impact: N/A

Explanation of Impact: N/A

Funding Source: N/A

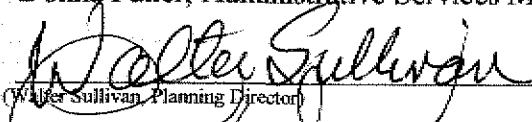
Alternatives: 1) Refer back to staff and Planning Commission for further review.

Supporting Material:

- Staff Report
- Case Record
- Maps

Prepared By: Donna Fuller, Administrative Services Manager

Reviewed By:


(Walter Sullivan, Planning Director)

Date: 4/23/07


(Larry Werner, Development Services Director/City Engineer)

Date: 4/23/07


(Linda Ritter, City Manager)

Date: 4/24/07


(District Attorney's Office)

Date: 4-24-07

Board Action Taken:

Motion: _____

1) _____	Aye/Nay
2) _____	_____

(Vote Recorded By)

**City of Carson City
Agenda Report**

Date Submitted: April 24, 2007

Agenda Date Requested: May 3, 2007

Time Requested: 20 minutes

To: Mayor and Board of Supervisors

From: Development Services, Planning Division

Subject Title: Action to consider a Variance application to allow a greater lot depth than allowed pursuant to the Carson City Municipal Code 18.04.190 Residential Districts Intensity and Dimensional Standards on four of the proposed 19 lots (lots 3-6) in the Combs Canyon II subdivision, on property zoned Single Family One Acre(SF1A) located on Combs Canyon Road, APN 007-091-72. (File VAR-07-028)

Staff Summary: This Variance request is to allow four of the proposed 19 lots to have a lot depth greater than 360 feet, specifically lots (3-6) of Combs Canyon II subdivision.

Type of Action Requested:

Resolution

Ordinance

Formal Action/Motion

Other (Specify)

Does This Action Require A Business Impact Statement: Yes No

Planning Commission Action: Approval 4 Ayes, 2 Nays and 1 Absent at the regularly scheduled Planning Commission Meeting of March 28, 2007.

Board of Supervisor's Action: On April 19, 2007 continued the Variance application to May 03, 2007 BOS meeting.

Recommended Board Action:

(A) I move to approve a Variance application to allow a greater lot depth than allowed pursuant to the Carson City Municipal Code 18.04.190 Residential Districts Intensity and Dimensional Standards on four of the proposed lots (lots 3-6) in the Combs Canyon II subdivision on property zoned Single Family One Acre (SF1A) located on Combs Canyon Road, APN 007-091-72 contained in the staff report.

(B) I move to **Deny** a Variance request to allow greater lot depth than allowed pursuant to the Carson City Municipal Code 18.04.190 Residential Districts Intensity and Dimensional Standards on four of the proposed 19 lots (lots 3-6) in the Combs Canyon II subdivision, on property Single Family One Acre (SF1A), located on Combs Canyon Road, APN 007-091-72. (File VAR07-028)

Explanation for Recommended Board Action:

Since the variance is dependant on approval of the subdivision, the Board, pursuant to CCMC and NRS, has the authority to approve or deny subdivisions and variances.

Applicable Statute, Code, Policy, Rule or Regulation: CCMC 08.02.085 (Variance),
18.02.050 (Review).

Fiscal Impact: N/A

Explanation of Impact: N/A

Funding Source: N/A

Alternatives: 1) Refer back to staff and Planning Commission for further review

Supporting Material:

- Staff Report
- Case Record
- Maps

Prepared By: Donna Fuller, Administrative Services Manager

Reviewed By:

Walter Sullivan Date: 4/23/07
(Walter Sullivan, Planning Director)
Larry Werner Date: 4/23/07
(Larry Werner, Development Services Director/City Engineer)
Linda Ritter Date: 4/24/07
(Linda Ritter, City Manager)
Melanie Burkotta Date: 4-24-07
(District Attorney's Office)

Board Action Taken:

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

(Vote Recorded By)

STAFF REPORT FOR PLANNING COMMISSION MEETING OF MARCH 28, 2007 REVISED

**FILE NO. TSM-07-027
VAR-07-028**

AGENDA ITEM:

STAFF AUTHOR: Jennifer Pruitt, AICP, Senior Planner

APPLICANT/OWNER: Lumos & Associates/Combs Canyon LLC

LOCATION/APN: East of Combs Canyon Road/North of Timberline Drive,
Assessor's Parcel Number 007-091-72.

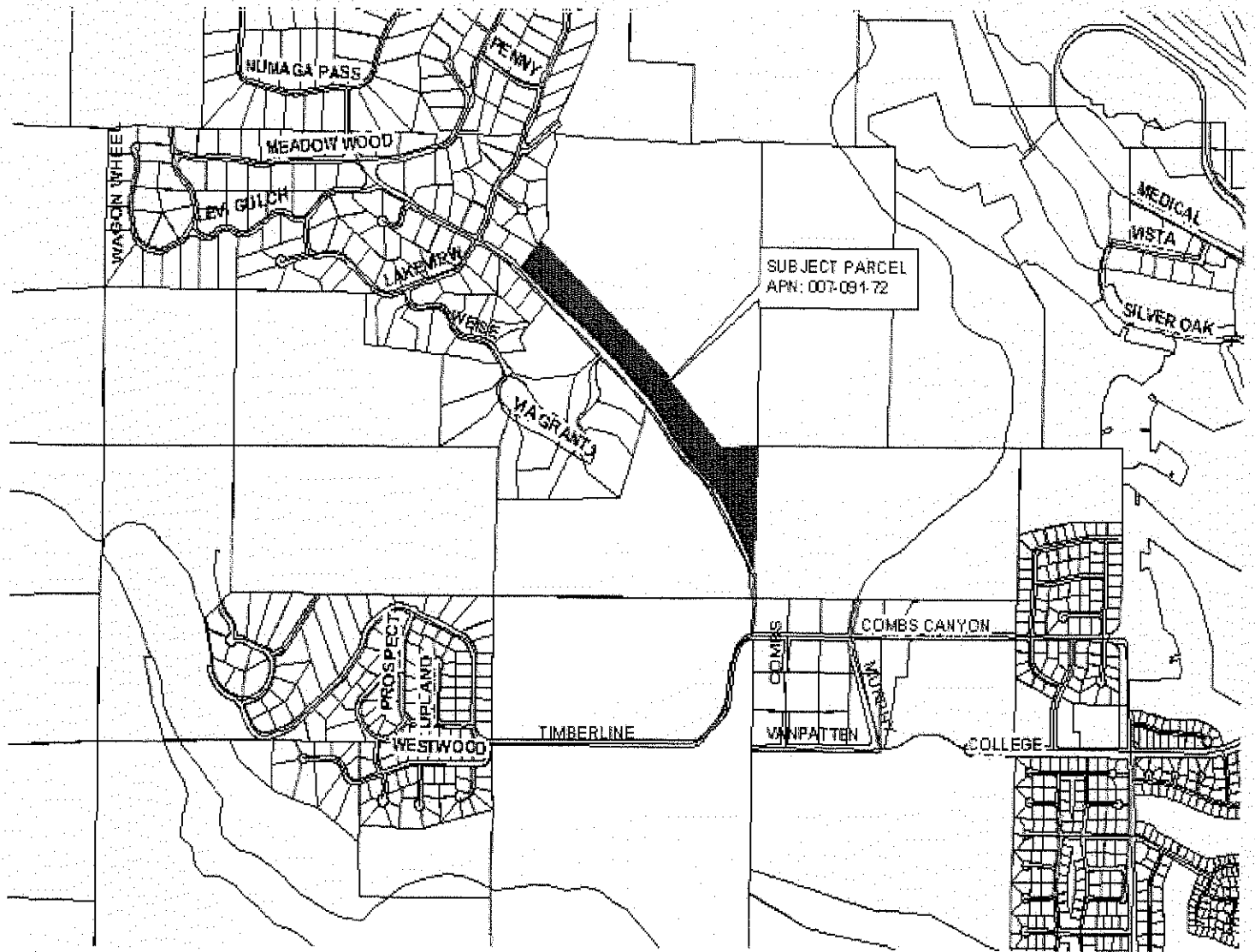
REQUESTS:

1. Approval of a Tentative Subdivision Map for a Tentative Subdivision Map (Combs Canyon II), consisting of 19 single family residential lots, on 25 acres north of Timberline Drive and east of Combs Canyon Road, Assessor's Parcel Number 007-091-72.
2. Approval of a Variance request to allow approximately four (lots 3-6) of the proposed 19 lots to have a lot depth greater than 360 feet.

RECOMMENDED MOTIONS

It is recommended that the Planning Commission:

1. **"I move to recommend Approval to the Board of Supervisors of the Combs Canyon II Tentative Subdivision Map (TSM-07-027) from Randall Long, Lumos and Associates, Inc.(property owner: Combs Canyon LLC), consisting of 19 residential lots on 25 acres east of Combs Canyon Road/North of Timberline Drive, Assessor's Parcel Number 007-091-72, based on the findings and subject to the recommended conditions of approval contained in the staff report."**
2. **" I move to approve a Variance (VAR-07-028) request to allow approximately four (lots 3-6) of the proposed 19 lots to have a lot depth greater than 360 feet on property zoned Single Family One Acre on 25 acres east of Combs Canyon Road/North of Timberline Drive, Assessor's Parcel Number 007-091-72 based on three findings and subject to the conditions of approval contained in the staff report ."**



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 two years 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 30 days prior to the one year expiration date. Should this Variance not be initiated within two years and no extension granted, the Variance shall become null and void.

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. Approval of this Variance does not supersede the prohibition of building in any public utility easement(s) or drainage easements, if applicable.
5. This Variance is specific to allow an increase of the required maximum lot depth for four identified lots (lots 3-6).

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

6. The applicant must obtain a building permit from the Carson City Building and Safety Division for the proposed construction.
7. The applicant must submit a copy of the Notice of Decision / conditions of approval, signed by the applicant and owner.

TENTATIVE SUBDIVISION MAP RECOMMENDED CONDITIONS OF APPROVAL:

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

1. The applicant must sign and return the Notice of Decision for conditions for approval within 10 days of receipt of notification. If the Notice of Decision is not signed and returned within 10 days, the item may be rescheduled for the next Planning Commission meeting for further considerations.
2. The Tentative Map must reflect a building envelope per each parcel and must include all dimensions and square footage of building envelopes. The building envelopes shall not include areas of a slope greater than 33%.

The following are specific conditions to be included in the design of the Improvement Plans:

3. There is an existing sight distance problem at the intersection of Combs Canyon and Timberline Roads. Vehicles turning east from Combs Canyon Road have limited visibility to oncoming vehicles coming down the hill from Timberline. One possible solution may be to cut down the hillside on the south side of the intersection in order to increase sight distance. This deficiency should be corrected prior to approval of final map.
4. Frontage improvements along Combs Canyon Road shall be designed to an urban standard for a collector with bike lanes in accordance with Dwg. No. C-1.11 and in accordance with the following:
 - a. Frontage improvements from the northwest boundary of the subject parcel (Lot 19) to 1,500 feet southeasterly (Lot 10) shall require a 17-foot half street pavement width.
 - b. Given topographical and utility related constraints, roadway widening from Lot 10 to the southeast boundary of the subject parcel (Lot 1) shall be accomplished by creating a 34-foot roadway section west of the existing curb line. This section was presented on the approved Tentative Map for Combs Canyon Phase I (TSM 06-168) and will require right of way dedication from APN 07-910-91 given that the center of the existing roadway lies west of the right of way centerline.
 - c. The frontage improvement transition between the aforementioned items a and b shall be accomplished in accordance with CCDS 12 and AASHTO requirements.
 - d. Curbing along the edge of pavement is required to control drainage. The sidewalk is not required.
5. In accordance with CCDS 12.10 and 12.11.10, pavement sections shall be based on subgrade strength values determined by Resistance (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.

6. 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.
7. In accordance with CCDS 15.3 sewer mains shall be analyzed to determine system capability to provide capacity for the ultimate tributary population. This analysis shall be prepared by a qualified Nevada Civil Engineer.
8. "No Parking" signs shall be placed along the project frontage at minimum 250 foot on center spacing.

The following must be completed prior to submitting for a construction permit or final map:

9. The necessary Combs Canyon Road right of way dedication from APN 07-910-91 must be accomplished prior to submittal of improvement plans for Combs Canyon Phase II.
10. Regardless of the status of the Combs Canyon Phase I project, the 34-foot roadway section between Lots 1 and 10 must be designed and built or bonded for prior to recordation of the final map for Combs Canyon Phase II.
11. Final improvement plans for the development must be prepared in accordance with CCDS Division 19 and the Standard Specifications and Details for Public Works Construction, as adopted by Carson City.
12. The applicant must 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.
13. The applicant shall adhere to all City standards and requirements for water and sewer systems, grading and drainage and street improvements.
14. A detailed storm drainage analysis, water system analysis, and sewer system analysis shall be submitted to the Development Engineering Division prior to approval of a final map.

General conditions:

15. The Planning Director and the District Attorney's Office must approve the development's Conditions Covenants & Restrictions (CC&R's) prior to the recording of the final map.

16. TSM-07-027 approval is contingent upon the approval of Variance VAR-07-028.
17. Prior to the recordation of the final map, the associated improvements 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 engineers 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.
18. The improvement plans and final map must comply with the recommendations contained in the project soils and geotechnical report.
19. A "will serve" letter from the City water and wastewater utilities must be requested and obtained by the applicant. The will serve letter must be provided to the Nevada Division of Environmental Protection prior to approval of the final map. The applicant must meet **all** the requirements of and obtain approval from the Nevada Division of Environmental Protection for the subdivision.
20. Animals and fowl as defined in CCMC Title 18, Section 18.03 (Definitions) are **prohibited** within the Combs Canyon II Subdivision. The development's CC& R's or deeds must include this statement.
21. In order to assure the proper placement of primary structure/accessory structures, all building permit submittals must show building envelopes and setbacks in addition to the items required for the building permit process.
22. The proposed lots must **not** be further parceled, split or divided in any manner that will result in additional residential lots.
23. Placement of all proposed and existing utilities must be underground within the subdivision.
24. 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.
25. 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 (TSM-07-027)."

- C. "All development shall be in accord with Variance (VAR-07-028)."
 - D. "There shall be **no** structures allowed to be constructed/erected/located outside the building envelopes shown on this map."
 - E. "Animals and fowl as defined in CCMC Title 18, Section 18.03 Definitions are **prohibited** within the Combs Canyon Subdivision."
 - F. "The proposed lots must **not** be further parceled, split or divided in any manner that will result in additional residential lots."
26. Hours of construction for site improvement work are limited to 7:00 a.m. to 7:00 p.m. Monday through Friday, and 7:00 a.m. to 5:00 p.m. Saturday. Inspectors may issue cease work orders for violations of the hours of construction.
27. Building permits for home construction will not be issued until streets and infrastructure improvements are deemed substantially complete by the City.
28. 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. All dates are pursuant to CCMC and NRS requirements.
29. This development is within the designated "wildland urban interface" and must comply with all codes and ordinances applicable to the development. CCMC Title 14 defines conditions for compliance such as access, water supply, fire sprinkler systems, ignition resistant building construction, fuel modification and defensible space, spark arresters and storage and use of LPG and fuel materials.
30. All development in hillside areas must comply with provisions contained in the pamphlet entitled "Wildfire Protection for Homeowners and Developers" prepared by the Sierra Front Wildfire Cooperators.
31. Parcels located at or above 5,000 feet above sea level will require structures to be designed by a Nevada Licensed Engineer due to the snow loading.
32. Plan submittal shall meet the current Carson City Building Division requirements for residential construction.
33. Provide a Drainage Site Plan with each permit application, with the finished grade

drainage around the perimeter of the proposed dwelling indicated. The finished grade must have a minimum of six inches of fall for the first 10 feet (five percent minimum) away from the foundation; however, finished grade must not allow the drainage to flow towards neighboring structures or across property lines. Drainage should either flow toward the public right of way, or provisions should be made to retain run off on the property until it is absorbed by the soil. ('03 IRC R401.3)

34. The applicant/developer shall work with the City to develop the necessary trail connectivity across this project as required by the Unified Pathways Master Plan. The development shall provide a 30 foot wide public access/construction easement, as required on private property along Combs Canyon Road to the development's northern and southern boundaries. Within this easement will be a unpaved/single tract trail, four foot in width. In cooperation with the Carson City Parks and Recreation Department, the developer shall establish a final alignment of the trail as part of the subdivision's improvement plans. Any easements needed to construct the trail within private lots must be shown as a public access easement on the final map.

1. It is the Parks and Recreations Department's expectation that the required 4' wide path located along Combs Canyon Road will be constructed in conjunction with all the project's street frontage and utility improvements.

2. Assuming above mentioned #1, that the path is constructed with the above mentioned improvements, there will be no need for a 30' wide construction easement.

3. When the path is constructed by the developer with the above referenced improvements, the Parks and Recreation Department will only need a 15' wide public access and maintenance easement on any private property the trail crosses.

4. Once the path has been constructed and accepted by the Parks and Recreation Department, any future development or grading activities near the path on the individual residential lots or with in the street right-of-way will be required to protect the trail facility from any construction disturbances. In addition, the developer will be required to coordinate with the City's Engineering Department and the Parks and Recreation Department on any future driveway crossings.

35. Before a certificate of occupancy may be issued for any structure on a parcel covered by this Section, the project engineer shall certify in writing that the improvements as built are in compliance with regulation of Chapter 18.08.020.
36. The proposed development must comply with the standards for drainage improvements, driveways and parking, slope stabilization, placement of utilities, buildable area standards, setbacks, fire protection and maintenance of improvements as contained in Division 7 Hillside Development. Engineered grading, drainage, erosion control and re-vegetation plans will be required prior to individual lot development. Maximum allowable driveway slope will be 12%.
37. The residential units within the development will be subject to the collection of Residential Construction Tax.

38. Each single family dwelling site will be designed to accommodate maneuvering of all vehicles and to provide guest parking as required by Division 1 parking.
39. The applicant shall retain a qualified consultant to prepare a Fuel Management Plan for review and approval by the CCFD prior to final map approval. Enforcement of the Fuel Management Plan shall be required of the Homes Owners Association as long as the subdivision contains 11 or more habitable lots.
40. The applicant will work with the Carson City School District to determine the most appropriate site for a bus stop location.
41. The applicant will work with the Carson City Post Office and Carson City to determine the most appropriate location for the rural cluster mail boxes in groups of two or three per the diagram provided by the Growth Management Coordinator of the Carson City Main Post Office dated March 28, 2007.
42. The trail as proposed by the applicant shall meet all Carson City design standards.
43. Prior to submittal of any final map or parcel maps, Development Engineering shall review and approve all on-site and off-site improvements.
44. All final maps must be in substantially in accordance to the Directors satisfaction with the approved tentative map.
45. All other departments and State agencies conditions of approval, which are attached, shall be incorporated as conditions of approval.
46. All lot areas and lot widths shall meet the zoning requirements approved as part of this tentative map with the submittal of any parcel map or preferably final map.
47. 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.
48. Parking is **prohibited** along Combs Canyon Road during construction and following completion of required improvements.

LEGAL REQUIREMENTS: NRS Chapter 278A (Planned Development), CCMC Section 18.04.055 (Single Family One Acre), CCMC 17.05 (Tentative Maps), NRS 445.386 (Health Department Requirements), CCMC 18.02.050 (Review); 18.02.085 (Variances); NRS 278.349(a) (Health Department Requirements), NRS 278.349(b) (Water Availability

Requirements), NRS 278.349(c)(Utility Requirements), NRS 278.349(d) (Availability of Public Services), NRS 278.349(g) (Streets and Highways Requirements), Divisions 1 through 4 of the Carson City Development Standards (CCDS).

MASTER PLAN DESIGNATION: Low Density Residential (LDR)

PROPOSED MASTER PLAN DESIGNATION: No change

PRESENT ZONING: Single Family 1 Acre (SF1A)

PROPOSED ZONING: No change

KEY ISSUES: What are the compatibility issues with the adjacent neighborhood regarding traffic, character, and quality of life? Does the applicants developmental package meet the City requirements to recommend approval? Does the applicant meet the burden of proof in providing information to the City to approve the development request?

SURROUNDING ZONING AND LAND USE INFORMATION

NORTH: Single Family 1 Acre (SF1A)/Vacant/Residential
SOUTH: Conservation Reserve (CR)/Single Family 1 Acre/ Vacant
EAST: Single Family 1 Acre/Conservation Reserve (CR)/Vacant
WEST: Single Family 1 Acre (SF1A)/Vacant/ Residential

ENVIRONMENTAL INFORMATION

- 1 FLOOD ZONE: Zone "C"; Areas of minimal flooding.
- 2 EARTHQUAKE FAULT: Moderate zone V, fault located within 500 feet of the site.
- 3 HILLSIDE ORDINANCE: Does apply; the proposed project will be required to comply with standards identified in Division 7 Hillside Development.
- 4 DRAINAGE: The subject site will be required to design the required storm drainage facilities in accordance with CCDS Division 14.
- 5 SOILS: 59: Surprise Coarse Sandy Loam 4%-8% slopes and 19: Glenbrook-Rock Outcrop Complex 30%-50% slopes.

SITE DEVELOPMENT INFORMATION

- 1 LOT SIZE: The entire site contains 25 acres. The average lot size is 1.31 acres.
- 2 PROPOSED BUILDING SIZE: The proposed dwelling units are a minimum of 2,500 square feet in size.
- 3 PROPOSED BUILDING HEIGHT: The proposed maximum height in the SF1A zoning district is 32 feet.
- 4 PARKING: Pursuant to the CCMC the parking requirement is two parking spaces per dwelling unit. Each unit will include parking for two cars in the proposed garage and guest parking on site as required per CCDS Division 1 Parking.
- 5 SETBACKS: The required minimum setbacks of the SF1A district are 30 feet on the front, 15 feet on the side, with 20 feet at the corner lots, and 30 feet on the rear.
- 6 VARIANCE REQUESTED: An increase to allow four (lots 3-6) of the proposed 19 lots to have a lot depth greater than 360 feet.

BACKGROUND:

Over the past few years City staff and Lumos & Associates representing the current property owner have met on numerous occasions regarding the proposed Combs Canyon Development.

- June of 2002 Lumos & Associates submitted a Tentative Planned Unit Development application (P-02/03-01) for a 91 lot development known as Combs Canyon Planned Unit Development.
- June 17, 2002, this project was discussed at the Carson City Open Space meeting. The Open Space Committee suggested that the area within the project boundary that is proposed for open space remain as natural vegetation with no formal recreation areas and minimal grading.
- July 20, 2002 Lumos & Associates submitted a continuance request to resolve unanticipated issues. On July 31, 2002 the Planning Commission via consent agenda approved the requested continuance.
- August 28, 2002 the above mentioned item was discussed at the Planning Commission, a large amount of public comment was provided and ultimately the item was continued at the applicant's request.
- March 17, 2005 Lumos & Associated submitted an application to the Planning Division for a Conceptual Review for Combs Canyon PUD, (CPUD-05-048).
- April 13, 2005 City staff conducted the Conceptual Review and provided the applicant with comments.
- October 12, 2005 Lumos & Associate conducted a neighborhood open house for City View residents and property owners. Approximately 12 residents participated and provided comments.
- October 13, 2005 Lumos & Associates conducted a neighborhood open house for the Lakeview residents and property owners regarding the proposed development, dozens of members of the public attended and provided comments.
- November 30, 2005 Planning Commission public hearing, the PUD was denied on the basis of the plan as previously submitted did not sufficiently address its consistency with the objectives of the PUD ordinance.
- January 5, 2006 the Board of Supervisors denied the PUD on the basis provided by the Planning Commission that the plan as previously submitted did not sufficiently address its consistency with the objectives of the PUD ordinance.
- July 18, 2006 City staff conducted the required Conceptual Review of the revised Combs Canyon I project (CSM-06-126) and provided the applicant with comments. Combs Canyon I did not include APN 007-091-72.
- August 16, 2006 Lumos & Associated submitted an application to the Planning Division for a Conceptual Review for Combs Canyon Subdivision I, TSM-06-168 which did not include the subject parcel.
- September 28, 2006 the Planning Commission approved TSM-06-168 Combs Canyon I.

- January 17, 2007 City staff conducted the required Conceptual Review of the Combs Canyon II (CSM-06-242) and provided the applicant with comments.
- February 14, 2007 the applicant, Lumos & Associates submitted a Tentative Subdivision application (TSM-07-027 and VAR-07-028) for a 19 lot development known as Combs Canyon II Development.

DISCUSSION:

The term "Tentative Map" shall mean a map made for the purpose of showing the design of a proposed subdivision and the existing conditions in and around it and need not be based on an accurate or detailed final survey of the property.

The subject Tentative Subdivision Map, if approved, would result in the creation of 19 residential lots on property that is presently zoned Single Family 1 Acre (SF1A), on approximately 25 acres on APN 007-091-72. The Combs Canyon II project as proposed is a Subdivision to be developed pursuant to the requirements of CCMC Title 17. The Combs Canyon II Subdivision if approved will have custom built homes and the applicant will impose architectural guidelines similar in nature to those utilized by the Combs Canyon I Subdivision and City View Development directly to the north. The proposed residential project will have an average lot size of 1.31 acres and the lot sizes will range from one acre to 1.81 acres.

Each lot will have a building envelope area which will define the allowable building area established for proposed residential/accessory structures. The envelope will also define the limits of the individual lot grading and mass clearing. The applicant will only grade the building envelopes and other areas will be left undisturbed. Grading will not occur on slopes greater than 33%.

The proposed project is located in northwestern Carson City, north of Timberline Drive and east of Combs Canyon Road. On February 14, 2007 the applicant, Lumos & Associates submitted this Tentative Subdivision Map for staff review and submittal to the Planning Commission for public hearing on March 28, 2007.

The subject site is currently undeveloped land covered with sagebrush and grasses and includes significant topographical characteristics. It is important to note the proposed development will be subject to the CCMC 18.08 Hillside Development and CCDS Division 7, Hillside Development. The steeper areas are on the eastern portion of the subject site. The proposed residential units will have a minimum of 2,500 square feet of livable space and per the applicant the CC&R's will prohibit flat roofs or reflective roof materials. The exterior colors of the single family dwelling units will also be required to keep with the natural surroundings and existing homes in the adjacent neighborhoods.

The proposed development **must** comply with all standards for drainage improvements, driveways and parking, slope stabilization, placement of utilities, buildable area standards, setbacks, fire protection and maintenance of improvements as contained in Division 7 Hillside

Development.

The applicant/developer will work with the City to develop the necessary trail connectivity across this project as required by the Unified Pathways Master Plan. The development shall provide a 30 foot wide public access/construction easement, as required on private property along Combs Canyon Road to the development's northern and southern boundaries. Within this easement will be a unpaved/single tract trail, four foot in width. In cooperation with the Carson City Parks and Recreation Department, the developer shall establish a final alignment of the trail as part of the subdivision's improvement plans.

As part of the Combs Canyon II Subdivision request, a Variance is requested to allow approximately four of the proposed 19 lots to have a lot depth greater than 360 feet. All variance applications are dealt with on a case-by-case basis. The applicant has demonstrated because of the topographic changes on the subject site, lots which exceed the 360-foot lot depth are necessary because for engineering purposes the proposed lots are located on the flattest area of the property; therefore the lots abutting the steepest grade of the property are forced to exceed the maximum depths allowed within the SF1A zoning district.

It is important to note the applicant does not want to develop more than 19 lots. The information provided by the applicant notes the site specific conditions presented with this project; oddly shaped subject site, limited number of lots and extremely steep topography, are relatively unique to this property and are **not** self imposed.

Summary:

This proposal is in conformance with the Master Plan and is in conformance with the Zoning Ordinance (Title 18) as demonstrated by this application. The proposal is consistent with a number of goals and policies that support a diverse community with multiple opportunities for housing. In addition, this proposal recognizes the unique site constraints while preserving the existing natural environmental amenities.

With the recommended conditions of approval, the findings to grant approval have been met. Therefore, it is recommended that the Planning Commission recommend to the Board of Supervisors approval of TSM-07-027 and approve VAR-07-028 based on the required findings as noted below the comment section.

SUBDIVISION	# of Units	AVG HOUSE SIZE	AVERAGE LOT SIZE	PROXIMITY
City View	13	5,047 square feet	3.8 acres	100 feet to the southwest
Timberline	100	3,214 square feet	0.68 acres	1000 feet to the southwest
Lakeview	231	3,703 square feet	1.48 acres	300 feet to the northwest
Murphy Dr/Van Patten	19	3,028 square feet	1.98 acres	100 feet to the southeast

Combs Canyon I	23	2,500 square feet and greater	2.48 acres	75 feet to the south
<u>Combs Canyon II</u>	<u>19</u>	<u>2,500 square feet and greater</u>	<u>1.31 acres</u>	<u>project site</u>

PUBLIC COMMENTS:

Public notices were mailed to 31 adjacent property owners within 585 feet of the subject site. **Two letters from the public have been received by staff regarding concerns of the proposed project (see attached).** Any comments that are received after this report is completed will be submitted to the Planning Commission **prior to or at the meeting** on March 28 2007, depending on their submittal date to the Planning and Community Development Division.

AGENCY COMMENTS:

All comments from various city departments and agencies which were received as of March 23, 2007, are attached to this report and summarized below:

The Carson City School District Transportation Department supports the project and confirms that the School District would provide transportation to Fritsch Elementary, Carson Middle School and Carson High School from this area which will be impacted due to the proposed project.

The Carson City Engineering Department had a number of comments that are included in the conditions and attached with their memo.

The State of Nevada Department of Wildlife has provided comments see attached memo.

The State of Nevada Division of Environmental Protection

- Provide documentation that the subdivision is not in a 100-year flood plain.
- Provide a brief description regarding the historical usage of the property or any significant existing environmental degradation that could negatively affect the proposed project.
- Supply "Will Serve" or "Intent to Serve" letters from the water and wastewater utilities.
- Provide certification of the proposed sewage disposal method by the Nevada Division of Environmental Protection (NDEP) Bureau of Water Pollution Control.

The Carson City Fire Department had a number of comments that are included in the conditions and attached with their memo.

The Carson City Building Department had a number of comments that are included in the conditions and attached with their memo.

The Carson City Parks and Recreation Department provided comments; see attached memo.

Subdivision Findings. In considering Parcel Maps, Planned Unit Developments and Tentative Subdivision Maps the Director shall consider the following. These factors are enumerated below and reflected in the Findings as previously detailed in this report:

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 concerning water and air pollution and disposal of solid waste. The development will be served by the Carson City Community Water System and the Carson City Wastewater Collection System.

Water supplied to the development will meet applicable health standards. Neither Carson City's water supply nor wastewater treatment capability will be exceeded by final approval of this development.

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

As indicated in the Engineering Division's analysis of the application, this development will be required to upgrade the water and sewer infrastructures to serve this development as well as provide connections to infrastructure to accommodate further development to the south. The improvements will be completed prior to the final map being recorded.

Water supplied to the development will meet applicable health standards.

3. The availability and accessibility of utilities.

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.

The development is required to comply with all applicable environmental and health laws concerning water and air pollution and disposal of solid waste. The development will be served by the Carson City Community Water System and the Carson City Wastewater Collection System.

Neither Carson City's water supply or wastewater treatment capability will be exceeded by final approval of this development. The applicant will extend sewer service from the intersection of Murphy Drive and Combs Canyon Road, approximately 1,500 feet to the proposed development

extended along the site frontage.

This development will be subject to the Carson City Growth Management System.

Electric service will be provided by Sierra Pacific Power Company, gas service will be provided by Southwest Gas Company, telephone service will be provided by SBC Nevada and cable service will be provided by Charter Communications. All services will be underground.

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

A Conceptual Drainage Study and a Geotechnical Report were both submitted for review by the Development Engineering Division by Lumos & Associates, Inc. for Barton Properties.

The Carson City Sheriff's Department will provide police protection for the proposed subdivision. The Sheriff's Department is located at 901 E. Musser Street. This development is in patrol beat number one.

Fire protection will be provided by the Carson City Fire Department, Station #2. Fire Station #2 is located at 2400 College Parkway and is 3.3 miles from the subject site.

Mail service will be provide by the Carson City Postal Service. The applicant will work with the Carson City Post Office and Carson City to determine the most appropriate location for the cluster mail boxes.

There is a Jump Around Carson (JAC) bus stop located on West College Parkway, at the Western Nevada Community College, approximately .5 miles from the subject site.

The Carson City School District has provided a Subdivision Impact Statement. The statement notes transportation would be provided to Fritsch Elementary, Carson Middle School and Carson High School from the subject site proposed subdivision. Fritsch Elementary School will be able to accommodate the students generated by the subject project. Carson Middle School and Carson High School are currently full and to accommodate these students an increase of the square footage of facilities or increasing the student teacher ratio is needed.

The Parks and Recreation Department provided comments noting that the Tentative Map is within an area identified in the Open Space Master Plan as an area for conservation of scenic quality. In addition these lands were subject to review by Open space Advisory Committee at a previous project submittal with a recommendation that a PUD or cluster development be used to minimize impacts to hillside views.

The Parks and recreation Department has provided recommendations if the Planning Commission were to consider approval of the proposed project and they those recommendations have been incorporated into this staff report. As related to parks, the Parks and Recreation Department will not require a neighborhood park facility to be built on the proposed density of 19

units on 25 acres. This residential density on one acre lots or larger and the quantity of units is not commensurate with development to support the standard of the construction of a three to five acre park.

The applicant/developer will work with the City to develop the necessary trail connectivity across this project as required by the Unified Pathways Master Plan. The development will provide a 30 foot wide public access/construction easement, as required on private property along Combs Canyon Road to the development's northern and southern boundaries. Within this easement will be a unpaved/single tract trail, four foot in width. In cooperation with the Carson City Parks and Recreation Department, the developer shall establish a final alignment of the trail as part of the subdivision's improvement plans. It is anticipated that the design and location of the trail will provide a safe pedestrian environment for residents and visitor of Carson City to use.

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.

The proposed development Combs Canyon II is not adjacent to public lands.

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

The proposal **is in conformance with the Master Plan** and will be in conformance with the Zoning Ordinance (Title 18). The proposal is consistent with a number of goals and policies that support a diverse community with multiple opportunities for housing. In addition, this proposal recognizes the unique site while providing housing opportunities within a traditional subdivision.

The subject site is zoned Single Family 1 Acre and the proposed development as presented will satisfy the setback, building height and uses (except for animals and fowl) allowed within this zoning district. The applicant is seeking approval to develop the proposed 19 single family subdivision with an average lot of 1.31 acres. All lots will satisfy the minimum acreage required. The proposed development is consistent will all requirements for SF1A zoning **except** for the maximum lot depth for which the applicant has submitted the accompanying Variance request VAR-07-028 which has met the required Variance findings.

The subject site has a Master Plan Land Use designation of Low Density Residential (LDR). The density for LDR is .2 du/ac and 3.0 du/ac. The proposed development has a density of .76 du/ac (19du/25ac) which is well within the density range for LDR. The City Master Plan also calls for a variety of lot sizes (LDR 1.2), preservation of topographic features and views (LDR 1.6), strong visual and physical connections to open spaces (LDR 1.6).

Chapter 3: A Balanced Land Use Pattern

Goal 1.2 Promote Infill and Redevelopment

Policy 1.2a: Priority infill and redevelopment areas.

This property was vacant for many years. Per the applicant the proposed project will also balance

development with conservation by preserving natural vegetation and rock out-croppings.

Goal 2.2 Expand Housing Variety

Policy 2.2 a: Provide a variety of housing types and densities within the urbanized area appropriate to the development size, location and surrounding neighborhood context.

All of the surrounding properties are zoned SF1A , SF2A and CR. Properties on the north and west sides of the subject parcel include existing residential uses with similar lot sizes.

Goal 3.3 Minimize impacts of Potential Natural Disaster Events

Policy 3.3 d.e: Flood Plain and Hazard Area Development/Geologic Hazards.

The property is not located in a flood-plain and no earthquake faults are located on site or within close proximity of 300 feet. The proposed project satisfy all of the required setbacks.

Policy: Land Use table descriptions: Provide for levels of service (i.e. water, sewer, road improvements, sidewalks, etc.) consistent with the Land Use designation and adequate for the proposed development.

Primary uses in LDR are Single Family Residences. Secondary uses include Schools, Parks, Recreation and Open Space in a planned neighborhood setting.

The LDR category contains a number of established neighborhoods, change in not anticipated or encouraged in these areas.

Impacts to water, sewer and road improvements have been addressed by the Engineering Division. Conditions of approval have be included within this staff report.

Chapter 6: Livable Neighborhoods and Activity Centers

Goal 6.2 Promote Compatible infill and Redevelopment:

Policy 6.2: Neighborhood Compatibility

The development does promote variety and visual interest through the incorporation of varied lot sizes. The applicant has noted the proposed single family dwelling units will be a custom-built product. The project has been designed to be compatible with the surrounding developments.

Chapter 7: A Connected City

Goal 12.1 Establish a City wide system of multi use pathways

Policy 12.1a.c—Enhance the Pathways Network/Section by Section Implementation

The proposed subdivision is located in close proximity to trails, Lakeview Park, bike routes and open space.

Future residents will be able to access the Lakeview Park by biking, walking or driving. Bike Route 395 is located along Combs Canyon Road and the V & T Bike Path is south of the proposed development. As the applicant has stated, the residents will not be required to drive to enjoy the scenery and recreation opportunities of Carson City.

As noted in this staff report the applicant/developer will be required to work with the City to develop the necessary trail connectivity across this project as required by the Unified Pathways Master Plan.

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

Prior to submittal of any final map or parcel maps, Development Engineering shall approve all on-site and off-site improvements in conformance with the City's streets and transportation plan.

The existing Combs Canyon Road frontage will be upgraded to the standard of collector street with bike lanes, consistent with the Carson City Transportation Plan.

Frontage improvements along Combs Canyon Road shall be designed to an urban standard for a collector with bike lanes in accordance with Dwg. No. C-1.11 and in accordance with the following:

- Frontage improvements from the northwest boundary of the subject parcel (Lot 19) to 1,500 feet southeasterly (Lot 10) shall require a 17-foot half street pavement width.
- Given topographical and utility related constraints, roadway widening from Lot 10 to the southeast boundary of the subject parcel (Lot 1) shall be accomplished by creating a 34-foot roadway section west of the existing curb line. This section was presented on the approved Tentative Map for Combs Canyon Phase I (TSM 06-168) and will require right of way dedication from APN 07-910-91 given that the center of the existing roadway lies west of the right of way centerline.
- The frontage improvement transition between the aforementioned items a and b shall be accomplished in accordance with CCDS 12 and AASHTO requirements.
- Curbing along the edge of pavement is required to control drainage. The sidewalk is not required.

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

A Traffic Impact Analysis was prepared by Lumos and Associates, Inc. in July 2002 for the Combs Canyon PUD (90 lots) and its first addendum Combs Canyon I (23 lots) in August 2004 has been submitted by the applicant.

In general, the proposed development will **not** cause adverse impacts to the existing street system. See Development Engineering report.

The applicant has investigated the possibility of combined access points on Combs Canyon Road to reduce the possibility of turning conflicts. A total of 11 lots will have a traditional driveway to Combs Canyon Road and there will be a total of four shared driveways to access the remaining eight lots. The applicant has noted due to the topographic constraints, shared driveways are not feasible for the remaining 11 lots.

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

The proposed development must comply with the standards for drainage improvements, driveways and parking, slope stabilization, placement of utilities, buildable area standards, setbacks, fire protection and maintenance of improvements as contained in Division 7 Hillside Development. Engineered grading, drainage, erosion control and re-vegetation plans will be required prior to individual lot development. Maximum allowable driveway slope will be 12%.

The physical characteristics of the area do not preclude the development as proposed. Proposed grading of individual lots will occur on existing slopes steeper than 15%, therefore will be subject to Hillside Development requirements of Division 7 of the Carson City Development Standards (CCDS).

It shall be strongly encouraged to preserve and/or protect rugged and steeply sloping terrain associated with slopes of thirty-three percent (33%) or more as undisturbed/undeveloped area.

A Geotechnical Report was prepared by Lumos and Associates, Inc. in December 2006 for the Combs Canyon II Subdivision. The purpose of the investigation was to characterize the site geology and soil conditions, describe the native soils and determine their engineering properties as they relate to the proposed construction and to identify any adverse geologic, soil, or groundwater conditions.

A Water Distribution Analysis prepared by Lumos and Associates, Inc. in December 2003 (revised) was submitted by the applicant.

A Conceptual Drainage Study was prepared by Lumos and Associates, Inc. in February 2007 for Combs Canyon II. The drainage study includes existing conditions, existing and proposed hydrology, proposed drainage facilities

All applicable federal, state and local regulations must be met with the development of the property.

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

This process, as mandated by State law, is being adhered to and all pertinent entity feedback has been reviewed. Further review will take place at the Planning Commission and Board of Supervisors.

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 development is within the designated "wildland urban interface" and shall comply with all codes and ordinances applicable to the development. CCMC Title 14 defines conditions for compliance such as access, water supply's, fire sprinkler systems, ignition resistant building construction, fuel modification and defensible space, spark arresters and storage and use of LPG and fuel materials.

All development in hillside areas must comply with provisions contained in the pamphlet entitled "Wildfire Protection for Homeowners and Developers" prepared by the Sierra Front Wildfire Cooperators.

The applicant shall retain a qualified consultant to prepare a Fuel Management Plan for review and approval by the CCFD prior to final map approval. Enforcement of the Fuel Management Plan shall be required of the Homes Owners Association as long as the subdivision contains 11 or more habitable lots.

12. Recreation and trail easements.

The applicant/developer shall work with the City to develop the necessary trail connectivity across this project as required by the Unified Pathways Master Plan. The development shall provide a 30 foot wide public access/construction easement, as required on private property along Combs Canyon Road to the development's northern and southern boundaries. Within this easement will be a unpaved/single tract trail, four foot in width. In cooperation with the Carson City Parks and Recreation Department, the developer shall establish a final alignment of the trail as part of the subdivision's improvement plans.

Future residents will be able to access the Lakeview Park by biking, walking or driving. Bike Route 395 is located along Combs Canyon Road and the V & T Bike Path is south of the proposed development. As the applicant has stated, the residents will not be required to drive to enjoy the scenery and recreation opportunities of Carson City.

The residential units within the development will be subject to the collection of Residential Construction Tax. The Parks and Recreation Department is willing to enter into a development agreement with the developer to use 50% of these funds to assist in the design and construction of the trail system amenities within the subdivision development and use the remaining 50% of the funds to develop other park facilities within Lakeview Park.

Variance Findings: The recommendation of **approval** is based on the following findings as required by Carson City Municipal Code (CCMC) Section 18.02.085 (Variances) enumerated below and substantiated in the public record for the project.

- 1. That because of special circumstances applicable to the subject property, including shape, size, topography and location of surroundings, the strict application of the zoning ordinance would deprive the subject property of privilege enjoyed by other properties in the vicinity or under identical zone classifications.**

Denial of the Variance request, in this case, would deprive the applicant of a right that has been enjoyed by property owners within the vicinity with precisely the same land use. The applicant cannot place the building envelopes any closer to the eastern portion of the site due to topographic changes.

All variance applications are dealt with on a case-by-case basis. The applicant has demonstrated because of the topographic changes on the subject site, lots which exceed the 360-foot lot depth are necessary because the proposed lots are proposed at the fronts of the property for engineering and safety purposes; therefor the lots abutting the steepest grade of the property are forced to exceed the maximum depths allowed within the SF1A zoning district.

*It is important to note the applicant does not want to develop more than 19 lots. The information provided by the applicant notes the site specific conditions presented with this project; the oddly shaped parcel, limited number of lots and extremely steep topography is relatively unique to this property and are **not** self imposed.*

- 2. That the granting of the application is necessary for the preservation and enjoyment of substantial property rights of the applicant.**

Within the SF1A zoning district the subject lots must be a minimum of one acre. The applicant has met all other code requirements and has attempted to meet the vision of the public and the City in order to develop this property. Common open space is not required in the proposed subdivision. Due to the low number of lots proposed by the applicant, it is more practical to include areas that cannot be developed into the area of the lots. This will result in a project with a residential land use that is consistent with adjacent properties and land uses within the general vicinity.

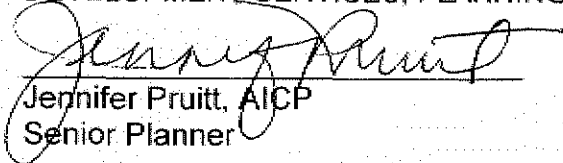
- 3. That the granting of the application will not, under the circumstances of the particular case, adversely affect to a material degree the health or safety of persons**

residing or working in the neighborhood of the subject property and will not be materially detrimental to the public welfare or materially injurious to property or improvements in the neighborhood of the subject property.

The applicant contends that the granting of the requested Variance will not materially damage other properties in the area. The increased lot sizes were a direct request by community members and staff when the project was proposed as a 78-unit Planned Unit Development. This approval of this request would not be materially detrimental to the public welfare or materially injurious to property or improvements in the neighborhood of the subject property.

In addition, the applicant has noted, by not developing on the steeper areas of the subject site the applicant will not be scarring more of the natural landscape than is proposed for the construction of the site, and the area will retain much of the natural beauty that currently exists.

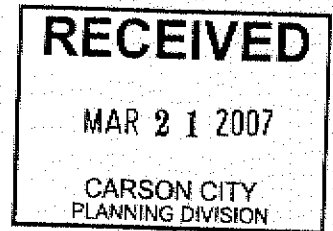
DEVELOPMENT SERVICES, PLANNING DIVISION


Jennifer Pruitt, AICP
Senior Planner


Attachments

- Application (TSM-07-027)
- Application (VAR-07-028)
- Carson City Fire comments
- Building Division comments
- Carson City Schools comments
- Engineering Division comments
- Parks and Recreation comments
- Nevada Division of Environmental Protection
- Nevada Department of Wildlife
- Carson City Health & Human Services

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MEMORANDUM

DATE: March 21, 2007
TO: Jennifer Pruitt – Planning
FROM:  Jeff Sharp – Engineering
RE: TSM 07-027 Combs Canyon II Tentative Subdivision
Engineering Text for Planning Commission Staff Report

The following text is offered for inclusion in the Planning Commission staff report for the above referenced land use proposal:

GENERAL: The Engineering Division has considered the elements of NRS 278.349, the Carson City Municipal Code and the Carson City Development Standards in its review of the tentative map described above.

This recommendation for 'approval with conditions' from the Engineering Division is based on conceptual level analysis that indicates the development as proposed will currently meet or will meet with concurrent improvements, prior to final map approval, Nevada Revised Statutes, the Carson City Municipal Code and the Carson City Development Standards. With the request for final approval of any and all phases, detailed engineering analysis addressing the following issues and recommending system improvements will be submitted to the Engineering Division.

FINDINGS: The Conceptual Findings by the Engineering Division are:

(a) *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 concerning water and air pollution and disposal of solid waste. The development will be served by the Carson City Community Water System and the Carson City Wastewater Collection System.

(b) *The availability of water which meets applicable health standards and is sufficient in quantity for the reasonably foreseeable needs of the subdivision;*

Water supplied to the development will meet applicable health standards. Neither Carson City's water supply nor wastewater treatment capability will be exceeded by final approval of this development.

(c) The availability and accessibility of utilities;

All other utilities are available in the area to serve this development.

(d) General conformity with the governing body's master plan of streets and highways;

The existing Combs Canyon Road frontage will be upgraded to the standard of collector street with bike lanes, consistent with the Carson City Transportation Plan.

(e) The effect of the proposed subdivision on existing public streets and the need for new streets or highways to serve the subdivision;

In general, the development will not cause adverse impacts to the existing street system.

(f) Physical characteristics of the land such as floodplain, slope and soil.

The physical characteristics of the area do not preclude the development as proposed. Proposed grading of individual lots will occur on existing slopes steeper than 15%, therefore will be subject to Hillside Development requirements of Division 7 of the Carson City Development Standards (CCDS).

RECOMMENDATION: If the tentative map is approved, the Engineering Division has the following recommended conditions of approval for the project:

A. Specific Conditions to be included in the Design of the Improvement Plans:

1. There is an existing sight distance problem at the intersection of Combs Canyon and Timberline Roads. Vehicles turning east from Combs Canyon Road have limited visibility to oncoming vehicles coming down the hill from Timberline. One possible solution may be to cut down the hillside on the south side of the intersection in order to increase sight distance. This deficiency shall be corrected prior to development of the project.
2. Frontage improvements along Combs Canyon Road shall be designed to an urban standard for a collector with bike lanes in accordance with Dwg. No. C-1.11 and in accordance with the following:
 - a. Frontage improvements from the northwest boundary of the subject parcel (Lot 19) to 1,500 feet southeasterly (Lot 10) shall require a 17-foot half street pavement width.
 - b. Given topographical and utility related constraints, roadway widening from Lot 10 to the southeast boundary of the subject parcel (Lot 1) shall be accomplished by creating a 34-foot roadway section west of the existing curb line. This section was presented on the approved Tentative Map for Combs Canyon Phase I (TSM 06-168) and will require right of way dedication from APN 07-910-91 given that the center of the existing roadway lies west of the right of way centerline.

- c. The frontage improvement transition between the aforementioned items a and b shall be accomplished in accordance with CCDS 12 and AASHTO requirements.
 - d. Curbing along the edge of pavement is required to control drainage. The sidewalk is not required.
3. In accordance with CCDS 12.10 and 12.11.10, pavement sections shall be based on subgrade strength values determined by Resistance (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.
 4. 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.
 5. In accordance with CCDS 15.3 sewer mains shall be analyzed to determine system capability to provide capacity for the ultimate tributary population. This analysis shall be prepared by a qualified Nevada Civil Engineer.
 6. "No Parking" signs shall be placed along the project frontage at minimum 250 foot on center spacing.

B. Conditions to be Completed Prior to Submitting for Construction Permit or Final Map

1. The necessary Combs Canyon Road right of way dedication from APN 07-910-91 must be accomplished prior to submittal of improvement plans for Combs Canyon Phase II.
2. Regardless of the status of the Combs Canyon Phase I project, the 34-foot roadway section between Lots 1 and 10 must be designed and built or bonded for prior to recordation of the final map for Combs Canyon Phase II.
3. Final improvement plans for the development shall be prepared in accordance with CCDS Division 19 and the Standard Specifications and Details for Public Works Construction, as adopted by Carson City.
4. 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.

C. General Conditions

1. 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 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 Developers obligation to repair defects in workmanship and materials which

- may appear in the work within one year of acceptance by the City.
2. Parking is prohibited along Combs Canyon Road during construction and following completion of required improvements.

DISCUSSION BULLETS: The following discussion is offered within Engineering Division areas of purview relative to the proposed Tentative Map:

- A sewer main extension of approximately 3000 feet in length is necessary to extend service from Murphy Drive along Combs Canyon Road to the northern site boundary.
- Proposed water system improvements include a new watermain along the project frontage, upgrades to the existing Lakeview Booster Pump #3, and pro-rated cost sharing for recent City upgrades to the Quill Ranch Booster Pump Station.
- Storm drainage improvements are proposed along Combs Canyon Road at the existing roadway sag points in order to intercept gutter flow and convey it to Combs Canyon Creek.
- Pavement widening and curb & gutter improvements are required along the Combs Canyon Road frontage to be consistent with standards for a collector roadway with bike lanes. Curbing along the edge of pavement is required to control drainage. The sidewalk is not required.
- Future development of the individual lots will require adherence to the Hillside Development requirements within Division 7 of the CCDS. Engineered grading, drainage, erosion control and revegetation plans will be required prior to individual lot development. Maximum allowable driveway slope will be 12%.
- Parking will be prohibited along Combs Canyon Road during construction and following completion of required improvements.



CARSON CITY, NEVADA
CONSOLIDATED MUNICIPALITY AND STATE CAPITAL
DEVELOPMENT SERVICES

MEMORANDUM

TO: Community Development Department
FROM: John Symons, Plans Examiner
DATE: March 12, 2007
SUBJECT: Planning Commission Agenda for March 28, 2007

ZCA-07-023 Action to consider an application for a **Zoning Code Amendment** from Carson City Planning Division for an amendment to Title 18 Zoning and Development Standards, specifically to the current Landscaping Ordinance adding sections regarding Xeriscape applications, trees and shrubs within the Historic District, tree protection measures, modifications to the current City ordinance to include riparian corridors, tree (et al) planting details and general landscaping details, and other matters related thereto. (Walter Sullivan)

No Building Division Comments.

ZCA 06-181 Action to consider an application for a **Zoning Code Amendment** from Carson City Planning Division for an amendment to Title 18 Zoning and Development Standards, specifically to the Lighting Ordinance regarding performance standards relative to display and security lighting. (Walter Sullivan)

No Building Division Comments.

SUP-07-025 Action to consider a **Special Use Permit** application from Matt Hansen, Licata Hansen Assoc. Arch. (property owner: (Name of lessee)/Carson City/Airport Authority) to construct airport hangars consisting of 12 small hangars and a main hangar building which includes pilot accommodations and office/administration space for the project known as Jet Ranch on property zoned Public Regional (PR) located at 2600 College Pkwy (Carson City Airport), Lot #207, APN 008-901-01. (Kathe Green/Walter Sullivan)

Building permits shall be obtained prior to commencing construction.

SUP-07-022 Action to consider a **Special Use Permit** application from property owner Brian K. Collings to construct a 4,800 square foot metal building for storage purposes with seven parking bays as a detached structure beside the residence on property zoned Single Family One Acre (SF1A) located at 4540 Silver Sage Drive, APN 009-175-04. (Sean Foley)

Building permits shall be obtained prior to commencing construction.

ZMA-07-026 Action to consider a **Zoning Map Amendment** application from Resource Concepts, Inc. (property owner: Nevada Children's Foundation) to change the zoning on a portion of a parcel from Conservation Reserve (CR) to Retail Commercial (RC) for the

BUILDING DIVISION • 2621 Northgate Lane, Suite 6 • Carson City, Nevada 89706
Phone: (775) 887-2310 Fax: (775) 887-2202 e-mail: bldgdiv@ci.carson-city.nv.us

Eagle Valley Children's Home on property presently zoned Conservation Reserve (CR) located at 2300 Eagle Valley Ranch Road, APN 007-511-06. (Lee Plemel)

No Building Division Comments.

TSM-07-027 Action to consider a **Tentative Subdivision Map** application, known as Combs Canyon Phase II, from Lumos Engineers for Barton Properties, Inc. (property owner: Combs Canyon, LLC) to review a subdivision map that consists of 19 lots on approximately 25 acres, and a **Variance** to allow for greater lot depth than allowed per City municipal code on four of the proposed lots on property zoned Single Family One Acre (SF1A) located on Combs Canyon Road, APN 007-091-72. (Jennifer Pruitt)

Building permits shall be obtained prior to commencing construction.

SUP-04-221a Action to consider an application to amend a previously approved **Special Use Permit** for Fuji Park and Fairgrounds, from Vern Krahn, Carson City Parks & Recreation (property owner: Carson City) to add a new conceptual site plan, add a new construction phasing plan, and deletion of the watchman's quarters on property zoned Public Regional and General Commercial (PR and GC), located at 601 & 803 Old Clear Creek Rd., APNS 009-303-02, -03, -05, -07. (Lee Plemel)

Building permits shall be obtained prior to commencing construction.

SUP-06-068a Action to consider an application to amend a previously approved **Special Use Permit** from Stephanie Hicks of RO Anderson Eng. (property owner: Calvary Chapel of CC) to reduce the building size for a church on property zoned Single Family One Acre (SF1A) located on Clearview Drive, APN 010-191-14. (Heidi Eskew-Hermann)

Building permits shall be obtained prior to commencing construction.

TSM-06-203 Action to consider modification to a previously approved Tentative Subdivision Map application known as Summer Hawk from Capital Engineering (property owners: Stanton Park Development and Hansler, LLC), to allow modification of the placement of the proposed building envelopes **ONLY** in relation to the construction of 201 single family residential units with approximately 86.2% common areas/open space on approximately 548.2 acres on property zoned Conservation Reserve (CR)/ Single Family 12,000 (SF12) located on Rhodes Street and Curry Street, APNs 009-021-02, 009-031-01, 009-031-02, 009-031-07 and 009-151-01. (Jennifer Pruitt /Heidi Eskew-Hermann)

Building permits shall be obtained prior to commencing construction.

SUP-05-089 and SUP-05-035 Action to consider a modification to the previously approved **Special Use Permits'** conditions of approval, specifically to allow use of the baseball facility for seven days a week, including Sundays, from 9:00 a.m. to 6:00 p.m.; on property zoned Public Regional (PR) and located at 2201 West College Parkway, APN 007-521-01. (Walter Sullivan)

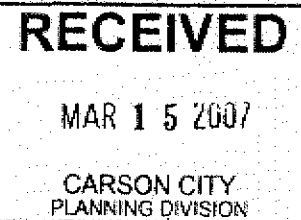
No Building Division Comments.

MISC-07-029 Discussion only regarding the subject of guest houses performance standards to be contained in Title 18 and in Development Standards.

No Building Division Comments.



CARSON CITY, NEVADA
CONSOLIDATED MUNICIPALITY AND STATE CAPITAL



Memorandum

Date: March 15, 2007

To: Walter A. Sullivan, Director Planning/Community Development
Jennifer Pruitt, Senior Planner
Planning Commission

From: Roger Moellendorf, Director Parks and Recreation *RM*
Vern L. Krahn, Park Planner *VK*
Juan F. Guzman, Open Space Manager *JG*

Subject: Combs Canyon Subdivision – Phase 2 (CSM-06-242)

After review of the Tentative Subdivision Map from the applicant known as Combs Canyon, LLC, our department has the following comments to submit to Planning staff and the Planning Commission. The tentative map is within an area identified in the Open Space Master Plan as an area for conservation of scenic quality. Due to steep topography, development will require massive grading affecting the scenic quality. Potential solutions include: 1) Cluster into one or two buildings; and 2) Move density into Phase 1, which will require re-configuring an already approved Tentative Map. **Staff understands that prior attempts to move density into Phase 1 failed. However, not developing the site with the topographic limitations will result in less impact and therefore, as better project.** In addition, please be aware that these lands were the subject of review by the Open Space Advisory Committee at a previous project submittal with a recommendation that a Planned Unit Development or cluster development be used to minimize impacts to hillside views.

If the Planning Commission were to consider approval of the project as submitted, the following information, recommendations, and concerns are offered:

The Carson City Board of Supervisors adopted the Parks and Recreation Master Plan and the Unified Pathways Master Plan on April 6, 2006 and the Open Space Master Plan in 2000. This development is located in-between Neighborhoods #1, #2, and #3 which are identified in the Parks and Recreation Master Plan. Implementation strategies for Neighborhood #1 and #2 identify "Future subdivisions should provide recreation space in the form of trails, natural areas, and open space anchored to several small passive parks with tot lot equipment to serve future young families". As proposed, this subdivision does not offer sufficient park or trail amenities to address the intent of these implementation strategies.

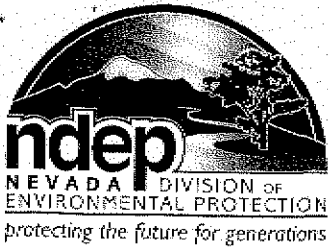
As related to parks, the Parks and Recreation Department will not require a neighborhood park facility be built based on the proposed density of 19 units on 25.08 acres. This residential density on one acre lots or larger and the quantity of units is not commensurate with development to support our department's standard of the construction of a three to five acre park.

The Unified Pathways Master Plan identifies this property with conceptual routes which indicate the City's interest in a trail system to connect into this property, provide connectivity within the northwest area of Carson City, and provide a future linkage to the V&T Trail to the east. Also, the Parks and Recreation Master Plan public opinion survey indicated a great desire to have a connected and walkable community. This development's location is critical to the continued development of the City's trail system on the community's west side.

It was the original intent of this pathway segment to connect to the Lakeview subdivision. Our department believes the proposed subdivision plan offers no connectivity and that the proposed development is not addressing the intent of the Unified Pathways Master Plan. Also, our department wants to work with the developer to design and construct a trail system that perpetuates the area's existing trail network, enhances the City's future trail system including connectivity to the surrounding neighborhoods, to the V&T Trail, and an internal trail system for the development. As a result, our department has identified the following issues that need to be addressed during the approval of the Tentative Subdivision Map:

- 1. *As shown in the site grading/utility plan, the proponent shall continue to work with City staff to develop the necessary trail connectivity across this property as required by the Unified Pathways Master Plan.*** With this in mind, the developer shall provide a four foot wide off-street /unpaved/single track trail including a 30' wide public access/construction easement, as required on private property along Combs Canyon Road to the development's northern and southern boundaries. In general, the alignment will vary from public to private property, including crossing driveways. The alignment shall be conceptual in nature and allow for future connectivity to the V&T Trail and into the Lakeview subdivision. The developer shall establish a final alignment of the trail as part of the subdivision's improvement plans in cooperation with the Carson City Parks and Recreation Department. Any easements needed to construct the trail within the private lots must be shown as a public access easement on the tentative map.
- 2.** This development will be subject to the collection of Residential Construction Tax. Our department is willing to enter into a development agreement with the developer to use 50 % of these funds to assist in the design and construction of the trail system amenities within this subdivision development and use the remaining 50% of these funds to develop other park facilities within Lakeview Park.

Regarding any questions on the above project requirements and comments, please feel free to contact our department at 887-2363.



STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

Jim Gibbons, Governor

Allen Biaggi, Director

Leo M. Drozdoff, P.E., Administrator

February 23, 2007

WALTER A. SULLIVAN

COMMUNITY DEVELOPMENT DEPARTMENT
2621 NORTHGATE LANE SUITE 62
CARSON CITY NV 89701



Re: **Tentative Map**
Combs Canyon Sub. Phase II
19 lots in Carson City

Dear Mr. SULLIVAN:

The Division of Environmental Protection has reviewed the above referenced subdivision and recommends approval of said subdivision with respect to water pollution and sewage disposal, provided that Carson City commits to provide sewage service to said subdivision.

Please be advised that inclusion under the Nevada Division of Environmental Protection Construction Stormwater General Permit is also required for any project involving land disturbances of one or more acres. If the above-referenced subdivision falls in this category, a stormwater authorization letter must be obtained from this Division prior to commencement of land-disturbing activities at the site. To apply for permit coverage, a Notice of Intent must be submitted along with a \$200 filing fee. For further details regarding this requirement, please contact Mr. Steve McGoff of NDEP at (775) 687-9429.

Sincerely,

Steve McGoff, P.E.
Technical Services Branch
Bureau of Water Pollution Control

cc:

JIM BALDERSON, P.E. Nevada Division of Environmental Protection, Bureau of Safe Drinking Water,
901 S. STEWART ST. CARSON CITY, NV 89701

Engineer: LUMOS & ASSOCIATES (CARSON) 800 E College Pkwy Carson City, NV 89706

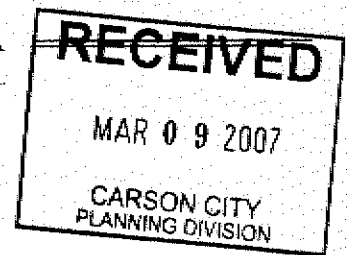
Developer Name: BARTON PROPERTIES, INC (CA) 11611 San Vicente Blvd Ste 605 Los Angeles, CA
89004

Control No. 8487





CARSON CITY, NEVADA
CONSOLIDATED MUNICIPALITY AND STATE CAPITAL



MEMO TO: Major Project Review Committee

FROM: Teresa Hayes, Environmental Health Specialist

DATE: March 7, 2007

SUBJECT: TSM 07-027
Location: Combs Canyon Phase II
APN: 007-091-72
Owner/Applicant: Lumos & Associates
Brief Description of Project: subdivison

As of this date the Health Department has no objections to this project as it has been explained in the plans submitted to us.

Should there be any changes to the plans please contact the Health Department immediately.

Any questions or comments please contact Teresa Hayes at 887-2190 ext 1024.

Thank you

Carson City Health & Human Services

900 E. Long Street • Carson City, Nevada 89706

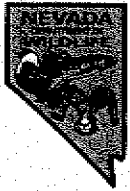
Community Health
(775) 887-2190
Fax: (775) 887-2248

Preventative Health
(775) 887-2195
Fax: (775) 887-2192

Human Services
(775) 887-2110
Fax: (775) 887-2248

Code Enforcement
(775) 887-2190
Fax: (775) 887-2248

Animal Services
(775) 887-2171
Fax: (775) 887-2128



JIM GIBBONS
Governor

State of Nevada

DEPARTMENT OF WILDLIFE

1100 Valley Road
Reno, Nevada 89512

(775) 688-1500

Fax (775) 688-1595

KENNETH E. MAYER
Director

DOUG HUNT
Deputy Director



March 5, 2007

Carson City Community Development Department
Jennifer Pruitt, Senior Planner
2621 Northgate Lane, Suite 62
Carson City, Nevada 89706

Dear Ms. Pruitt,

The Department of Wildlife has reviewed the Combs Canyon subdivision-Phase II, we offer the following comments:

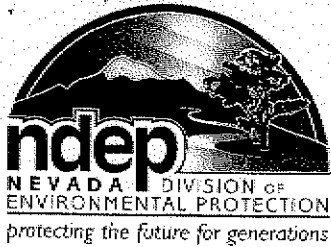
All of my comments are similar to the written comments I provided on Phase I of this subdivision. The area where the development is planned is a historic staging area for deer before migrating further east across Hwy 395. I would ask the developer to provide written documentation to their clients on ways to avoid mule deer conflicts, including information on planting landscape that is not palatable to deer and why the intentional feeding of deer is detrimental.

Additionally, mitigation measures might best serve the wildlife resources displaced by the pending development. We recommend the developer take the necessary precautions to reduce other human/wildlife conflicts, such as with bears. We continue to encourage Carson City to take actions to reduce black bear complaints west of Carson City, particularly in Timberline and Lakeview. A majority of complaints are trash related, and yet there is no requirement for anyone living in black bear habitat to store trash in bear-proof containers. If conditioned to looking in certain areas for food the bears will progress to breaking and entering homes and cars, and thereby becoming a public safety threat. Bear proof trash receptacles are available commercially in Carson, in Lake Tahoe and on the internet.

People need to understand that they are moving into an area historically very important to wildlife, and that they must take exclusionary precautions as related to wildlife attractants before we will respond to wildlife complaints.

Thank you for this opportunity to provide comments, if there are any questions or need for additional input, please contact Mr. Carl Lackey, Wildlife Biologist, 775 720-6130.

Carl Lackey – Wildlife Biologist
Nevada Department of Wildlife



STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

Jim Gibbons, Governor

Allen Biaggi, Director

Leo M. Drozdoff, P.E., Administrator

February 22, 2007

Walter Sullivan, AICP
Carson City Planning and Community Development Department
2621 Northgate Lane, Suite 62
Carson City, NV 89706-1319



RE: TENTATIVE MAP: COMBS CANYON SUBDIVISION PHASE II (19 Lots)
In reply, please refer to plan review number (CC-2801-07LAK)D

Dear Mr. Sullivan:

The Nevada Division of Environmental Protection, Bureau of Safe Drinking Water, has reviewed the tentative subdivision map and cannot recommend approval at this time because the application is incomplete or deficient.

The following information or activity is requested of the developer or the developer's engineer/surveyor:

1. Supply "Will Serve" or "Intent to Serve" letters from the water and wastewater utilities.
2. Provide a letter from the NDEP, Bureau of Water Pollution Control, certifying the method of wastewater collection, treatment and disposal.
3. Provide subdivision description by specific area section, township and range on the Tentative Map.
4. Provide a master plan showing the future development and intended use of all land under the ownership or control of the developer in the vicinity of the proposed subdivision.

If you have any questions or comments, please contact me at (775) 687-9524.

Sincerely,

Lisa Kremer, P.E.
Bureau of Safe Drinking Water

cc: Doug Zimmerman, Chief, Bureau of Safe Drinking Water
Jim Balderson, P.E., Engineering Supervisor, Bureau of Safe Drinking Water
Jeff Sharp, P.E., Carson City Development Engineering Services
Tom Grundy, E.I., Carson City Development Engineering Services
Randall M. Long, P.E., Lumos and Associates, Inc.
Steve Selinger, Barton Properties, Inc.



MEMORANDUM

DATE: December 21, 2006
February 22, 2007

TO: Planning and Community Development
Jennifer Pruitt
Steve Selinger, Barton Properties
11611 San Vicente Blvd. Suite 605
Los Angeles, CA 90049

FROM: Bruce Van Cleemput Assistant Chief/ Fire Marshal

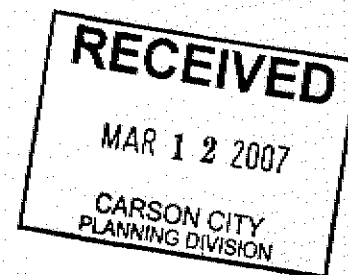
SUBJECT: CSM-06-242 APN 007-091-72 Combs Canyon Subdivision
TSM-07-027 VAR-07-028

We have reviewed the aforementioned project and have the following comments:

This development is within the designated "wildland urban interface" and shall comply with all codes and ordinances applicable to the development. CCMC Title 14 defines conditions for compliance such as access, water supply's, fire sprinkler systems, ignition resistant building construction, fuel modification and defensible space, spark arresters and storage and use of LPG and fuel materials.

If you need additional assistance, please contact our office or myself directly at (775) 887-2210 ext. 1002.

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



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

March 12, 2007

Ms. Jennifer Pruitt, Sr. Planner
Carson City community Development
2621 Northgate Lane, Suite 62
Carson city, NV 89706

RE: Combs Canyon Subdivision Phase II Variance

Dear Jennifer:

Thank you for the opportunity to review the Variance Request and Traffic Study for the Combs Canyon Sub-division Phase II project. I would like to point out a number of items in each that, I believe, is relevant to the Planning Commission's review:

Traffic Report

1. The traffic report submitted was prepared in 2002. This is prior to the creation of the bicycle lanes and "share the road" program along Ormsby and Combs Canyon Road. In addition, it was prepared before the construction of the first phase of the Carson City by-pass. Both of these items have caused a significant increase in the traffic along Combs Canyon Road.
2. The survey was conducted after 7:00 am. I walk my dogs along Combs Canyon Road every morning between the hours of 6:00 am and 7:30 am and the number of vehicles using Combs Canyon Road by the residents of Timberline to access the freeway on-ramp at East Lake Blvd. has increased four-fold in the past year. In addition, students attending WNCC also use Combs Canyon Road as a way to get to and from the rear entrance to the college in the morning, afternoon and evening after the night classes are over. I have contacted the Sheriff's office numerous times about the speeding and lack of concern to the pedestrians that walk along Combs Canyon Road. A new traffic study that takes into account all these issues must be conducted as the one submitted is no longer valid.

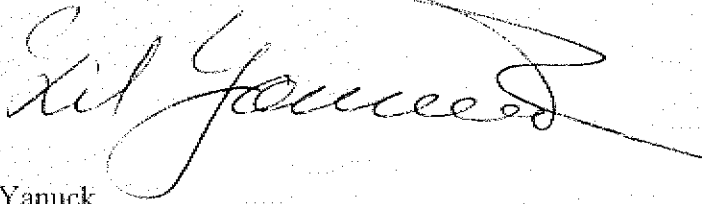
Variance Request

1. The construction of 15 driveways with a grade of 8-12% without some minimum flat stopping area at the entrance to the road is extremely dangerous and ill conceived, especially when they are covered with ice or snow. The City should require a minimum of 15 to 25 feet of flat pad at the base of the driveways to avoid any potential problems.
2. The condition of Combs Canyon Road is definitely a sore point for those that currently use it on a daily basis. It has numerous "pot holes", large "sink" areas and is banked in the wrong direction in several places. There are no guard rails or reflectors along the canyon side of the road to warn drivers of the various hazards. Shrubs and other plant growth encroach the sides of the road in numerous places. All this leads to the potential for accidents to occur and with the addition of several hundred more vehicle trips along this poorly constructed road, the situation will just get worse. Now is the time for the Planning Commission to improve Combs Canyon Road by ensuring that the developer pays for the reconstruction of the entire length of Combs Canyon Road not just the portion in front of the 19 homes.
3. Since Combs Canyon Road is the only escape route for the residents of Lakeview in the event of a major fire or other catastrophe that might occur, it is imperative that serious consideration and planning be done to provide clear access out of the Lakeview area during the construction period. In addition, consideration must be given to where the developer and the contractors will store their supplies and park their equipment so as not to block the roadway as well as providing adequate parking for the vehicle belonging to the construction workers.
4. In the Utilities section of the Variance Request there is a comment about the construction of a new water line from the City's Lakeview booster pump number 3 to lot number 1. Is the developer paying for the construction of this Line? What will be the effect on the water pressure to the Lakeview residents whose home sit approximately 600 feet above the development? Are they going to experience the severe drop in pressure that the homeowners in Timberline currently experience on a daily basis? The new, larger impeller for the booster pump, who is paying for that? Who is paying for the cost of the increased power to drive this new, larger impeller? What about the increased wear and tear on the booster pump? Should the City have a stand-by booster pump available in case the primary one fails so that there will be adequate water for the fire hydrants and residents? Who should pay for this stand-by booster pump?
5. Since the City has taken the position of not enforcing CC&R's, who will enforce all the various rules and regulations described in the CC&R's after the developer has sold all the lots and moved on to greener pastures?

I know that a lot of these issues seem petty on their reading. Having lived in this area for the past ten years I have these seemingly petty issues become nightmares to the homeowners when the developers leave them on their own to enforce CC&R's without lien rights and their only recourse is to sue one another.

I implore the Planning Commission to weigh heavily on every aspect of this Variance Request. Take nothing for granted and forget every promise unless it is in writing and fully bonded so that the financial burden for issues that develop later do not become the financial burden of the City and its taxpayers.

Sincerely,

A handwritten signature in black ink, appearing to read "Gil Yanuck". The signature is written in a cursive style with a long horizontal stroke extending to the right.

Gil Yanuck

March 20, 2007

TO: Carson City Planning Commission

RE: Combs Canyon Subdivision Phase II, hearing March 28, 2007

Background:

In past actions the Commission and Board of Supervisors rejected two Planned Unit Development tentative maps, one for 92 lots and a second for 78 lots. Each PUD included two parcels, one 57 acres and one 25 acres. In the fall of 2006, the City approved a 23 lot standard subdivision, Phase I, on the 57 acre parcel only.

Last year the Commission approved the 2006 Master Plan. A few months later you amended the plan for Weise & Jenkins, 204 acres, east of Lakeview Rd and Buckskin Road. The zoning remained residential one acre with an entitlement of 204 homes. However the amendment permits up to 332 homes and of course if a PUD is submitted and approved the developers would be entitled to a 10% bonus resulting in a potential 355 homes. In the future, approximately 600 homes only access to downtown will be the freeway or Combs Canyon Rd.

Phase II

The subject parcel was created in 1987 with no limitation as to the number of driveways accessing Combs Canyon Rd. The parcel has been and remains zoned residential one acre. In the City's view the property is entitled to 25 lots and we should consider ourselves lucky the property owner is only requesting 19 lots. 15 driveways are proposed. Eight homes would share a driveway and 11 lots would have single driveways.

We are assuming staff has determined Hillside Ordinance 7.4.1 is not applicable. "No development is permitted which significantly increases hazards of avalanche, rock fall landslide, flooding, or soil erosion." A number of lots include or are in close proximity to large boulders high up on the hillside. If grading or construction operations cause a boulder or boulders to be dislodged and roll across Combs causing personal injury and/or property damage, who will be liable: the City for having approved the subdivision in a hazardous area; the developer or the home builder? Any mitigation proposed?

Page 2 of 3 pages

Combs Canyon Rd is a 60' right of way. Combs is a collector street at an average 8% grade. Currently there are two 12' lanes shared with bicycles. At the time of this writing the Engineering Department has not submitted their requirements to the Planning Department. After a phone discussion with Engineering we are expecting a requirement to rebuild Combs to three 12' lanes; 36' of pavement, crowned for drainage to flow to the curb and gutter on either side. Good idea. However, the three lanes would only be required on the frontage of the project. Bad idea. There should be no transitions from two lanes to three lanes and back to two lanes from the intersection of Combs & Timberline to the intersection of Combs & Lakeview Rd. Two transitions will create a hazard.

We are told the City has no right to require the developer to perform any onsite grading. The City may require only offsite improvements. These are simply paper lots for future buyers to build custom homes. Potentially nineteen lot owners will be submitting plans over the years and each grading their own lot accessed from Combs. We believe the developer should be required to remove all of the overburden from back of curb to the property line in order to provide temporary parking during grading and construction. There should be no on street parking for anyone, except City maintenance vehicles.

Last year the City adopted A Master Trail Plan. The plan designates a non paved 4' public trail across the project and 6' behind the curb. We support this requirement within the public right of way.

We believe the most critical safety issue is automobile access to and from the proposed lots. The conceptual project plans stated driveways will be at 8% to 12% grade. Guest parking will be on the driveways. There must be clear site distance for the homeowner's vehicles as well as for vehicles traveling up and down Combs. Each driveway approach should be at 2% to 3% grade and one car length behind the curb. Note: it is unknown at this time the distance between back of new curb to the property line.

The City has stated many times, "we do not enforce CC&Rs." Does this developer want us to believe his Architectural Committee will actually review building plans over the years and enforce all the

Page 3 of 3 pages

CC&Rs after the lots are sold? The responsibility will be the City Building Department.

We understand the building envelopes will be all of the lot within the front and side setbacks and up to the 33% slope line.

The request for a variance for four (4) proposed lots with greater than 360 foot depth is reasonable. However, the City can be guaranteed that building on these proposed lots in the 15% to 33% slope range will bring about many hardship variance applications. Given the tight conditions, individual lots owners will overlook and/or ignore the CC&R's and no one will enforce them.

Report comments by page:

Page 4. "Each lot will be designed to collect storm water runoffand conveyed to underground infiltration basin." Storing water subsurface on a hillside lot can cause foundation damage and slope failures and should not be required.

Page 5 "but all of the lots will be landscaped when the residences are occupied." Nonsense, don't count on it.

Page 6 street lighting. Since there is no homeowner's association, the street lighting will be public and specified by the City.

Page 9 "Each of the homes will have individual mailboxes placed at the front of the property. This is another reason to prohibit on street parking. It is a concern for our mail carrier starting and stopping on Combs Canyon not to mention the bicyclists cycling uphill.

Page 16 "no need for roadway improvements outside Applicant's property". Is this because offsite improvements will be done under Phase I requirements? What if the Phase II is built before Phase I?

Cordially,

Bruce Kittess, 4401 Levi Gulch, Carson City