

## STAFF REPORT FOR THE PLANNING COMMISSION MEETING OF AUGUST 26, 2020

FILE NO: LU-2020-0028; LU-2020-0029  
SUB-2020-0008

AGENDA ITEM: E.6, E.7, E.8

STAFF CONTACT: Heather Ferris, Associate Planner

### AGENDA TITLE:

**LU-2020-0028** For Possible Action: Discussion and possible action regarding a request for a Special Use Permit for a 42 unit single family residential attached development on property zoned Neighborhood Business (NB), located at Emerson Drive just north of College Parkway, APN 002-751-07.

**LU-2020-0029** For Possible Action: Discussion and possible action regarding a request to amend a Special Use Permit (LU-2019-0080) to allow tandem parking on property zoned Neighborhood Business (NB), located at Emerson Drive just north of College Parkway, APN 002-751-07.

**SUB-2020-0008** For Possible Action: Discussion and possible action regarding a Tentative Subdivision Map to create 42 single family lots on a 5.5-acre parcel zoned Neighborhood Business (NB) known as Emerson Cottages, located on Emerson Drive, north of College Parkway, APN 002-751-07.

Summary: Carson City Municipal Code (CCMC) 18.04.120 allows a residential use in the Neighborhood Business zoning district as a conditional use. As it is a conditional use, it may only be established upon approval of a Special Use Permit by the Planning Commission. The applicant is also requesting a Tentative Subdivision Map (SUB-2020-0008) to subdivide 5.5 acres into 42 single family attached lots with a minimum lot size of 2,524 square feet, and an average lot size of 3,416 square feet; and a Special Use Permit to allow for tandem parking (single car garage with an additional parking space in the driveway) for each of the 42 units. The Planning Commission has the authority to approve the Special Use Permits. The Board of Supervisors is authorized to approve a Tentative Subdivision Map, following recommendation from the Planning Commission.

### RECOMMENDED MOTION LU-2020-0028:

**“I move to approve Special Use Permit LU-2020-0028 based on the ability to make the required findings and subject to the conditions of approval.”**

### RECOMMENDED MOTION LU-2020-0029:

**“I move to approve Special Use Permit LU-2020-0029 based on the ability to make the required findings and subject to the conditions of approval.”**

### RECOMMENDED MOTION SUB-2020-0008:

**“I move to recommend, to the Board of Supervisors, approval of Tentative Subdivision Map 2020-0008 based on the ability to make the required findings and subject to the conditions of approval.”**

## VICINITY MAP:



## RECOMMENDED CONDITIONS OF APPROVAL: Tentative Map

**The following are conditions of approval required per CCMC 18.02.105.5:**

1. All final maps shall be in substantial accord with the approved tentative map.
2. Prior to submittal of any final map, the development engineering department shall approve all on-site and off-site improvements. The applicant shall provide construction plans to the development engineering department for all required on-site and off-site improvements, prior to any submittals for approval of a final map. The plan must adhere to the recommendations contained in the project soils and geotechnical report.
3. 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.
4. 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.
5. With the submittal of any parcel map or preferably final maps, the applicant shall provide evidence to the planning and community development department from the health and fire departments indicating the agencies' concerns or requirements have been satisfied. Said correspondence shall be included in the submittal package for any final maps and shall include approval by the fire department of all hydrant locations.
6. The following note shall be placed on all final maps stating:  
*"These parcels are subject to Carson City's growth management ordinance and all property owners shall comply with provisions of said ordinance."*
7. Placement of all utilities, including AT&T Cablevision, shall be underground within the subdivision. Any existing overhead facilities shall be relocated prior to the submittal of final maps.

8. The applicant must sign and return the notice of decision for conditions for approval within 10 days of receipt of notification after the board of supervisors meeting. If the notice of decision is not signed and returned within 10 days, then the item will be rescheduled for the next planning commission meeting for further consideration.
9. Hours of construction will be limited to 7:00 a.m. to 7:00 p.m., Monday through Friday, and 7:00 a.m. to 5:00 p.m. on Saturday and Sunday. If the hours of construction are not adhered to, the Carson City building department will issue a warning for the first violation, and upon a second violation, will have the ability to cause work at the site to cease immediately.
10. The applicant shall adhere to all city standards and requirements for water and sewer systems, grading and drainage, and street improvements.
11. The applicant shall obtain a dust control permit from the Nevada Division of Environmental Protection. The site grading must incorporate proper dust control and erosion control measures.
12. A detailed storm drainage analysis, water system analysis, and sewer system analysis shall be submitted to the development engineering department prior to approval of a final map.
13. Prior to the recordation of the final map for any phase of the project, the improvements associated with the project must either be constructed and approved by Carson City, or the specific performance of said work secured, by providing the city with a proper surety in the amount of 150 percent 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 10% of the engineer's estimate to secure the developer's obligation to repair defects in workmanship and materials which appear in the work within 1 year of acceptance by the city.
14. A "will serve" letter from the water and wastewater utilities shall be provided to the Nevada Health Division prior to approval of a final map.
15. The district attorney shall approve any CC&R's prior to recordation of the first final map.

**Other Conditions of Approval:**

16. The water main must be looped to Retail Court. The water main must be in a minimum 20' wide easement, centered on the main, with additional width as necessary per Carson City Development Standards. No trees, structures, or parking will be permitted within the water main easement.
17. A water sampling tap must be installed on the new water main in a common area.
18. The Carson City Unified Pathways Master Plan calls for on-street bike lanes on Emerson Drive. The project must stripe bike lanes on Emerson Drive from College Parkway to the northern boundary of the project, and transition into the multi-use path adjacent to the freeway.
19. The partial abandonment of the NV Energy easement located in the northern and eastern portions of the site must be completed prior to issuing a site improvement permit. The abandonment shall result in an easement width satisfactory to NV Energy. No portion of the resulting easement shall be located within any of the residential lots.

20. The project must meet Carson City Municipal Code and Development Standards including, but not limited to the following:
  - Half-street improvements are required along the project frontage per CCMC 11.12.081, including sidewalk, curb, gutter, striping, and paving from the existing edge of pavement to the proposed gutter. The resultant street section must match the width of the Emerson Drive just north of the project at the underpass.
21. As part of the site improvement permit, the applicant must provide a landscape plan demonstrating compliance with the Development Standards in Division 3.
22. Carson City is a nationally recognized Bee City USA. As a result, the applicant shall use approximately 50% pollinator friendly plant material for any required landscaping on the project site. Any remaining landscape plant material selection must be consistent with the City's approved tree species list or other tree species, as approved by the City.
23. An exhibit demonstrating compliance with the open space requirements (Carson City Development Standards 1.18.6) shall be included in the application for site improvement permit.
24. The applicant is required to incorporate "best management practices" into their construction documents and specifications to reduce the spread of noxious weeds. The Parks, Recreation & Open Space Department is willing to assist the applicant with this aspect of their project as needed.
25. The applicant shall provide the Community Development Department with a deed restriction for recordation at the time the final map is submitted for recordation. The document shall state the following:
  - Variance (VAR-2019-0003) has been approved placing the homes along the southern boundary of the project site 10 feet closer to the existing church on APN 002-751-06, than is required by Carson City Development Standards 1.18. There may be inconvenience or discomfort, including but not limited to noise, glare, or physical activity, associated with the proximity to such a commercial use.
26. A Homeowner's Association (HOA) or similar entity must be formed to provide maintenance to common areas, including any landscaping in the street(s) rights-of-way in perpetuity.
27. As volunteered by the applicant, prior to recordation of the final subdivision map, the applicant shall provide to the City, payment in the amount of the cost to slurry seal the internal public road (based upon the square footage of the asphalt section of such road multiplied by the per square foot price negotiated by Carson City with its seasonal provider), as approved by the City Public Works Director.
28. All common areas must have public utility easements.
29. The Tentative Subdivision Map is only approved if the applicant obtains approval from the Planning Commission for the following concurrent applications:
  - a. LU-2020-0028- A Special Use Permit for a residential use in a non-residential district.
  - b. LU-2020-0029- A Special Use Permit for tandem parking in a single-family residential development.

30. The approval of this Tentative Subdivision Map supersedes the approval of the previous Tentative Subdivision Map (TSM-19-165) and any approved amendment, making the approval of TSM-19-165 (and any subsequent amendment) null and void.
31. All improvements shall be within the property lines. The required internal setbacks shall be as follows:

Front Yard-	10 feet to the house and 20 feet to the garage
Side Yard-	0 feet on one side and 5 feet on the other side (with 10 feet between buildings).
Rear Yard-	10 feet minimum but no less than 20 feet for lots 1 through 24 (VAR-2019-0003)

These setbacks shall be stated on the final map as well as in the CC&Rs.

**RECOMMENDED CONDITIONS OF APPROVAL: Special Use Permits (LU-2020-0028 & LU-2020-0029)**

1. All development shall be substantially in accordance with the plans presented to the Planning Commission.
2. All on and off-site improvements shall conform to city standards and requirements.
3. The use for which this permit is approved shall commence within 12 months of the date of final approval. A single, 1-year extension of time must be requested in writing to the planning and community development department 30 days prior to the 1 year expiration date. Should this permit not be initiated within 1 year and no extension granted, the permit shall become null and void.
4. The applicant must sign and return the notice of decision for conditions of approval within 10 days of receipt of notification. If the notice of decision is not signed and returned within 10 days, then the item will be rescheduled for the next planning commission meeting for further considerations.
5. The approval of LU-2020-0028 and LU-2020-0029 supersedes the approval of the previous Special Use Permits (SUP-19-166 and LU-2019-0080), making the approval of SUP-19-166 and LU-2019-0080 null and void.

**LEGAL REQUIREMENTS:** CCMC 17.05 (Tentative Maps); CCMC 17.07 (Findings); CCMC 18.02.080 (Special Use Permit); 18.04.120.3 (Neighborhood Business); (Development Standards 1.18 (Residential development standards in non-residential districts); NRS 278.330

**MASTER PLAN DESIGNATION:** Community/Regional Commercial

**ZONING DISTRICT:** Neighborhood Business

**KEY ISSUES:** Will the Special Use Permits meet the required findings, and will the proposed residential use and tandem parking be compatible with the surrounding neighborhood and in keeping with the standards of CCMC? Is the Tentative Map consistent with the required findings? Does the proposal meet the Tentative Map requirements and other applicable requirements?

## **SURROUNDING ZONING AND LAND USE INFORMATION**

NORTH: Single-family 6,000 /I-580  
SOUTH: Single-family 6,000 and Tourist Commercial/Church and Veterinary Hospital  
WEST: Single-family 6,000/Single-family Residences  
EAST: Single-family 6,000 and Tourist Commercial/Energy substation and hotel under construction.

## **ENVIRONMENTAL INFORMATION:**

FLOOD ZONE: Zone X (Area of minimal flooding)  
SLOPE/DRAINAGE: Generally flat draining to the southeast.  
SEISMIC ZONE: Zone II (moderate)  
FAULT: Beyond 500 feet

## **SITE DEVELOPMENT INFORMATION:**

SUBJECT SITE AREA: 5.5 acres  
EXISTING LAND USE: Vacant

## **SITE HISTORY:**

MPR-04-011: Major Project Review for a Self-storage facility

MPR-05-236: Major Project Review for a Self-storage facility

ZMA-15-178: Zoning Map Amendment from Single-family-6000 to Neighborhood Business

CSM-19-115: Conceptual Subdivision Map for 40 lot single-family attached development

TSM-19-165: Tentative Subdivision Map for 37 lot single-family detached development

SUP-19-166: Special Use Permit for residential use in non-residential zoning district for 37 single-family detached units.

LU-2019-0080: Special Use Permit for to allow for tandem parking (2 car garages with additional space in the driveway) for 37 lot residential development.

VAR-2019-0003: Variance to allow for a decreased setback from 30 feet to 20 feet along the southern-most property line.

SUB-2020-0006: Condition Amendment to delete the requirement for internal roads for TSM-19-165 to be privately maintained. A final decision on this request is anticipated on August 20, 2020.

SUB-2020-0007: Conceptual Subdivision Map for a 42-lot single-family attached development.

## **DISCUSSION:**

The subject property is 5.5 acres in size and zoned Neighborhood Business. The property is surrounded by both commercial and residential uses.

On January 29, 2020 the Planning Commission recommended to the Board of Supervisors, approval of a Tentative Subdivision Map known as Emerson cottages, and approved the associated Special Use Permit for a 37 unit single-family detached residential development; Special Use Permit to allow for tandem parking (2 car garage, single car width, with an additional driveway space); and a Variance to reduce the rear yard setback for homes along

the southern-most property line. The Board of Supervisors approved the Tentative Subdivision Map on February 20, 2020.

The applicant is now seeking a new Tentative Subdivision Map to subdivide the 5.5-acre parcel into 42 lots for the single-family attached development and 1.4 acres of common area. Per Carson City Municipal Code (CCMC) 18.04.120.3, a residential use is a conditional use in the Neighborhood Business zoning district and therefore requires a Special Use Permit, subject to the supplemental standards outlined in Division 1.18 of the Development Standards (Residential Development Standards in Non-Residential Districts). Because the previous Special Use Permits were approved for fewer lots and a detached product a new Special Use Permit is required. Additionally, a different approach is proposed for the tandem parking resulting in fewer parking spaces, therefore, requiring an amended Special Use Permit. The previously approved Variance (VAR-2019-0003) does not need to be amended, as the new design will utilize the approved 20-foot setback and will maintain the same number of units along the southern-most property line.

There is no maximum density within non-residential zoning districts subject to meeting the height, setback, parking, and open space requirements. The overall design concept is single-family attached with lots ranging in size from 2,524 square feet to 6,464 square feet. The applicant proposes three floor plans and three elevations, including one single story floor plan and two 2-story floor plans with a maximum height of 22.5 feet (measured to the mid-point of the roof). Unit sizes will range in size from 901 square feet to 1,541 square feet with a single car garage proposed for each unit. Private open space in excess of 250 square feet is provided for each lot. Proposed setbacks are as follows:

Front Yard-	10 feet to the house and 20 feet to the garage
Side Yard-	0 feet on one side and 5 feet on the other side (with 10 feet between buildings)
Rear Yard-	10 feet minimum but no less than 20 feet for lots 16 through 24 (VAR-2019-0003)

Two parking spaces will be provided on each lot via a single car garage and driveway for each unit. Additionally, on-street parking is provided within the development as well as adjacent to the development on Emerson Drive, providing for additional parking for guests. Pursuant to CCMC tandem parking is allowed in a single-family residential development subject to first obtaining approval of a special use permit and meeting the requirements for on-street parking, size of tandem parking spaces, driveway length, and covered parking.

On July 7, 2020 the developer applied for a condition amendment to delete the requirement for the internal road for TSM-19-165 to be privately maintained. The Planning Commission considered this request at their July 29, 2020 meeting and recommended denial to the Board of Supervisors. The final decision regarding this condition amendment is scheduled for the August 20, 2020 Board of Supervisors meeting. The applicant has offered the same condition of approval (Condition # 27) for consideration with this Tentative Subdivision Map. Staff may recommend modifying this condition at the August 26, 2020 Planning Commission meeting, to be consistent with the Board of Supervisors pending action.

The Planning Commission is authorized to approve the Special Use Permits upon making the seven required findings of fact. The Planning Commission conducts a public hearing and advises the Board if the proposed tentative map is consistent with the provisions of the Municipal Code and NRS 278.320.

**PUBLIC COMMENTS:** Public notices were mailed on August 7, 2020 to 64 property owners within 600 feet of the subject site pursuant to the provisions of NRS and CCMC for the Tentative

Subdivision Map application and Special Use Permit applications. As of the completion of this staff report, no public comments have been received. Any written comments that are received after this report is completed will be submitted prior to or at the Planning Commission meeting on August 26, 2020 depending upon their submittal date to the Planning Division.

**OTHER CITY DEPARTMENT OR OUTSIDE AGENCY COMMENTS:** The following comments were received from City departments. Comments have been incorporated into the recommended conditions of approval, where applicable.

**Engineering Division:**

LU-2020-0028 & SUB-2020-0008:

The Engineering Division has no preference or objection to the tentative map request provided that the following conditions of approval are met:

- The water main must be looped to Retail Court. The water main must be in a minimum 20' wide easement, centered on the main, with additional width as necessary per Carson City Development Standards. No trees, structures, or parking will be permitted within the water main easement.
- A water sampling tap must be installed on the new water main in a common area.
- The Carson City Unified Pathways Master Plan calls for on-street bike lanes on Emerson. The project must stripe bike lanes on Emerson Drive from the College Parkway to the northern boundary of the project, and transition into the multi-use path adjacent to the freeway.
- The partial abandonment of the NV Energy easement must be completed prior to issuing a site improvement permit.
- The streets will be either public or private, consistent with the Board of Supervisors' pending decision on SUB-2020-0006 and associated conditions of approval.
- The project must meet Carson City Municipal Code and Development Standards including, but not limited to the following:
  - Half-street improvements are required along the project frontage per CCDS 11.12.081, including sidewalk, curb, gutter, striping, and paving from the existing edge of pavement to the proposed gutter. The resultant street section must match the width of the Emerson Drive just north of the project at the underpass.

The Engineering Division has reviewed the application within our areas of purview relative to adopted standards and practices and to the provisions of CCMC 17.07.005 and 18.02.080. The following Tentative Map Findings by the Engineering Division are based on approval of the above conditions of approval:

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 existing infrastructure has been found sufficient to supply the water and sanitary sewer needs of the subdivision, and the City has the capacity to meet the water and sewer demand. The water main must be looped to meet Carson City Development Standards to create redundancy.

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

The City has sufficient system capacity and water rights to meet the required water allocation for the subdivision.

3. *The availability and accessibility of utilities.*

Water and sanitary sewer utilities are available and accessible.

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

The road network necessary for the subdivision is available and accessible.

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.*

Development engineering has no comment on this finding.

6. *Conformity with the zoning ordinance and land use element of the city's master plan.*

Development engineering has no comment on this finding.

7. *General conformity with the city's master plan for streets and highways.*

The development is in conformance with the city's engineering master plans for streets and highways, water, sewer, and storm drain.

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

The transportation department has no concerns about the adjacent signalized intersection and the project does not meet the threshold to require a traffic impact study.

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

There are no known earthquake faults near the site and the site is not in a FEMA flood zone that requires special flood damage prevention considerations.

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

Development engineering has no comment on this finding.

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.*

The subdivision has sufficient secondary access, and sufficient fire water flows.

12. *Recreation and trail easements.*

Development engineering has no comment on this finding.

These comments are based on the tentative map plans and reports submitted. All applicable code requirements will apply whether mentioned in this letter or not.

LU-2020-0029:

The Engineering Division has no preference or objection to the special use request and offers no conditions of approval.

The Engineering Division has reviewed the application within our areas of purview relative to adopted standards and practices and to the provisions of CCMC 18.02.080, Conditional Uses. The Engineering Division offers the following discussion:

C.C.M.C. 18.02.080 (5a) - Master Plan

The request is not in conflict with any Engineering Master Plans.

C.C.M.C. 18.02.080 (5b) – Use, Peaceful Enjoyment, Economic Value, Compatibility

Development Engineering has no comment on this finding.

C.C.M.C. 18.02.080 (5c) - Traffic/Pedestrians

The project has approximately 1462 linear feet of curb (up from 1150 linear feet) not counting the space for each driveway with a 3-foot-wide garbage can. This comes to about 81 parking spaces at 18 feet per space (up from 63 spaces). The road section meets the City Standard Detail for on street parking.

C.C.M.C. 18.02.080 (5d) - Public Services

The tandem parking request has no effect on sewer, water, or storm drain services, and the street section is designed to accommodate parking.

C.C.M.C. 18.02.080 (5e) – Title 18 Standards

Development Engineering has no comment on this finding.

C.C.M.C. 18.02.080 (5f) – Public health, Safety, Convenience, and Welfare

The project meets engineering standards for health and safety.

C.C.M.C. 18.02.080 (5g) – Material Damage or Prejudice to Other Property

Development Engineering has no comment on this finding.

C.C.M.C. 18.02.080 (5h) – Adequate Information

The plans and reports provided were adequate for this analysis.

**Fire Department**

1. Project must comply with the currently adopted edition of the International Fire Code and northern Nevada fire code amendments as adopted by Carson City.
2. Alternative means and methods request date 1-3-2020 is approved.

**School District**

The School District continues to have the same concerns as noted previously. The District is pretty much at capacity although space was added at Mark Twain, it will likely fill up with the Hot Springs apartments. Rezoning will be coming soon.

## **Parks Recreation & Open Space**

1. The City will not be responsible for any landscape or irrigation system maintenance on the project. All landscaping and landscape maintenance in the right of way will be the sole responsibility of the owner. The developer is required to maintain all common landscape and open space areas within the development including any landscaping in the street(s) right of ways in perpetuity.
2. Carson City is a Bee City, USA. As a result, the developer shall use approximately 50% pollinator friendly plant material for any required landscaping on the project site. Also, any remaining landscape plant material selection needs to be consistent with the City's approved tree species list or other tree species, as approved by the City. The Carson City Pollinator Plant list, tree species list, and other plant selection resources can be found on the City's website.
3. The developer is required to incorporate "best management practices" into their construction documents and specifications to reduce the spread of noxious weeds. The spread of invasive and noxious weeds is a significant issue in construction projects that involve land disturbance. Earth moving activities contribute to the spread of weeds, as does the use of contaminated construction fill, seed, or erosion-control products. Experience has demonstrated that prevention is the least expensive and most effective way to halt the spread of noxious and invasive weeds. Preventing the establishment or spread of weeds relies upon:
  - Educating workers about the importance of managing weeds on an ongoing basis;
  - Properly identifying weed species to determine most appropriate treatment strategies;
  - Avoiding or treating existing weed populations; and
  - Incorporating measures into projects that prevent weed seeds or other plant parts from establishing new or bigger populations such as certification of weed-free products.
4. Deciduous trees must be planted a minimum of 5 feet from any city/public street, sidewalk or pathway. Evergreen trees must be planted a minimum of 10 feet from any city/public street, sidewalk or pathway. Fruit bearing, "non-fruiting" flowering or any other trees that drop debris such as seed pods will not be permitted near or placed where they will eventually hang over city/public sidewalks or pathways.
5. Carson City Municipal Code: Title 18, Division 3 should be reviewed by all parties involved in the proposed landscape design prior to landscape plans being submitted to the city for final approval of a building permit.

**SPECIAL USE PERMIT FINDINGS:** Staff recommends approval of the Special Use Permit based on the findings below and in the information contained in the attached reports and documents, pursuant to CCMC 18.02.080.5 (Findings), subject to the recommended conditions of approval, and further substantiated by the applicant's written justification. In making findings for approval, the Planning Commission must consider:

- 1. *Will be consistent with the objectives of the Master Plan elements;***

LU-2020-0028 (Residential development in non-residential district): The requested development is consistent with the concept of a Compact and Efficient Pattern of Growth (Guiding Principle 1). Carson City is committed to a compact pattern that makes efficient use of land area and water resources available for urban growth, and that fosters the provisions of

infrastructure and services in a cost-effective manner. The subject property can be served by water and sewer.

Guiding Principle 7 discusses compact, mixed use activity centers, stating “Carson City will encourage the creation of compact, mixed-use activity centers in easily accessible and highly visible locations of the community. The activity centers will promote the efficient use of available commercial lands and concentrate retail services in pedestrian and transit-oriented development nodes that may be easily accessed from and serve surrounding neighborhoods. Activity centers will vary in size and composition depending upon their location, context, and level of priority.

Staff finds that the proposed development is consistent with the concepts of compact development, placing people near economic centers to encourage mixed use activity centers.

LU-2020-0029 (Tandem Parking): Master Plan Policy 2.2a encourages a mix of housing models and densities. The policy encourages a mix of housing models and densities for projects within urbanized areas based on their size, location, surrounding neighborhood context, and applicable land use policies. Allowing for tandem parking in this single-family residential development provides the developer with flexibility in design.

Master Plan Policies 6.1b and 6.1c discuss neighborhood design and visual interest. These policies encourage a variety and visual interest when designing new neighborhoods. Tandem parking will help to reduce the garage and driveway domination along the streetscape providing for a home and landscape dominated streetscape which adds to the visual interest.

Staff finds that the proposed tandem parking for this development is consistent with the concepts of providing a mix of housing models and densities and providing variety and visual interest in new neighborhoods.

2. ***Will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood; and is compatible with and preserves the character and integrity of adjacent development and neighborhoods or includes improvements or modifications either on-site or within the public right-of-way to mitigate development related to adverse impacts such as noise, vibrations, fumes, odors, dust, glare or physical activity;***

LU-2020-0028 (Residential development in non-residential district): The subject property is adjacent to existing single-family residential development on the west (across Emerson Drive), the interstate to the north, and an existing church and veterinary hospital to the south. A hotel is under construction immediately east of the subject property as well as an NV Energy substation. The proposed use will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood. The proposed use is consistent with the existing neighborhood to the west and compatible with the church which borders the majority of the southern portion of the property. The church itself is approximately 74 feet from the common property line with the subject parcel and existing landscaping and parking area provides for additional buffering between the proposed development and the church building. Buffering from the hotel under construction to the east will be achieved with the location of the existing substation and NV Energy easement, as well as landscaping.

LU-2020-0029 (Tandem Parking): Tandem parking will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood. Per Division 2.2 of the Development Standards parking must be provided at a ratio of 2 spaces per dwelling unit. Additionally, in developments where internal or abutting

public streets are reduced to less than the standard width thereby prohibiting on-street parking, 1 additional parking space must be provided on-site for every 2 dwelling units for guest parking. The applicant proposes tandem parking (a single car garage with an additional space in the driveway) for each of the 42 lots. Pursuant to CCMC, tandem parking is allowed in single-family residential developments subject to first obtaining approval of a Special Use Permit and meeting the supplemental standards outlined in 2.2.6(a) of the Development Standards. Each of the 42 units will have a single car garage as well as an additional space in their minimum 20-foot driveway, exclusive of the proposed sidewalk. Parking will be allowed on both sides of the internal streets as well as Emerson Drive which will provide parking for guests. As proposed, sufficient parking will be provided within the development and will not result in impacts such as noise, vibrations, fumes, odors, dust, glare or physical activity different from a single-family development proposing side-by-side parking.

**3. *Will have little or no detrimental effect on vehicular or pedestrian traffic;***

LU-2020-0028 (Residential development in non-residential district): As proposed and conditioned, the project will have little or no detrimental effect on vehicular or pedestrian traffic. The applicant has provided a traffic memo outlining the estimated trips, based on the ITE Trip Generation Manual (9<sup>th</sup> edition). The proposed single-family residential project will generate approximately 400 daily trips with an AM peak of 32 trips and a PM peak of 42 trips. This is below the threshold for a full traffic analysis. The transportation department has reviewed the project and determined there will be no adverse impacts to the adjacent signalized intersection. The project will include improvements such as sidewalks, curb, gutter, striping and half-street paving along Emerson Drive. These sidewalks will complete a connection on the east side of Emerson Drive between College Parkway and the multi-use path located along the northern boundary of the project. Additionally, the Carson City Unified Pathways Master Plan calls for on-street bike lanes on Emerson Drive; therefore, the applicant will be required to stripe bike lanes from College Parkway to the northern boundary of the project, and transition into the multi-use path adjacent to the freeway.

LU-2020-0029 (Tandem Parking): Pursuant to CCMC, tandem parking can be counted toward the minimum required parking in a single-family residential development if the applicant first obtains approval of a Special Use Permit and meets all of the supplemental standards outlined in CCMC, which include the following:

- *Internal and abutting public streets provide parking on both sides of the street(s); or in a case where on-street parking is not provided, guest parking is provided, within the boundaries of the project, at an increased ratio of 1 space for each unit;*

Parking will be provided on both sides of the project's internal roadways as well as along Emerson Drive. The project has approximately 1462 linear feet of curb, not counting the space for each driveway. This provides for approximately 81 on-street parking spaces at 18 feet per space.

- *The tandem spaces are provided on individual lots for the exclusive use of each individual lot;*

Two parking spaces will be provided on each proposed lot via a single car garage with an additional space in the driveway. Each driveway will be a minimum of 20 feet, excluding the sidewalk.

- *Tandem spaces must have a minimum dimension of 10 feet wide by 20 feet in length, excluding the width of the sidewalk;*

The proposed garages will be 24 feet 1 inch in length and a minimum of 10 feet in width. The driveway will meet the required minimum dimension and will not include the sidewalk. As designed, a sidewalk will be installed on one side of the internal street.

- *Covered parking must be provided for at least one of the two spaces;*

Parking will be provided on each proposed lot via a single car garage, providing for a minimum of one covered parking space per lot.

- *The driveway must have a depth of 20 feet exclusive of the sidewalk;*

The driveways will each be a minimum of 20 feet in depth, exclusive of the sidewalk.

As proposed, tandem parking will have little or no detrimental effect on vehicular and pedestrian traffic. The applicant has demonstrated, as outlined above, that the project will meet all of the supplemental standards which are intended to mitigate potential impacts to on-street parking within the neighborhood that may result from tandem parking.

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

LU-2020-0028 (Residential development in non-residential district): The project is located adjacent to existing single-family and commercial developments which are served by the existing public services including schools, sheriff, transportation facilities, and parks. The School District continues to have the same concerns as noted previously. The District is close to at capacity although space was added at Mark Twain, it will likely fill up with the Hot Springs apartments. Rezoning will be coming soon. The proposed development will not overburden police protection. Development Engineering has reviewed the development for impacts to water, sewer, storm drainage, and roadway systems. The existing infrastructure has been found to be sufficient to supply water and sanitary sewer and the City has capacity to meet the demand. The Fire Department has also reviewed the development. As proposed, sufficient access is provided. As noted in the Fire Department comments, the project must comply with the currently adopted edition of the International Fire Code and the Northern Nevada Fire Code Amendments as adopted by Carson City.

LU-2020-0029 (Tandem Parking): The request for tandem parking has no effect on public services. The impacts to public services will be the same as if parking was provided with the more typical side-by-side parking.

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

LU-2020-0028 (Residential development in non-residential district): The project meets the definition and specific standards set forth in Title 18. The subject property is zoned Neighborhood Business. Single-family dwellings are a conditional use in this zoning district. Development Standards 1.18 provides standards for residential development in

non-residential zoning districts, as well as supplemental findings. Compliance with the provisions of 1.18 Residential Development Standards in non-residential districts is outlined below:

The following standards are intended to establish minimum standards and Special Use Permit review criteria for residential development within the Neighborhood Business (NB), Retail Commercial (RC), General Commercial (GC), Residential Office (RO) and General Office (GO) zoning districts.

Permitted uses. Residential uses are only allowed as permitted by Chapter 18.04, Use Districts, as a primary or conditional use in the applicable zoning districts.

The subject property is in the Neighborhood Business zoning district and therefore residential uses are allowed subject to first obtaining approval of a Special Use Permit.

Maximum permitted density. There is no maximum residential density within non-residential zoning districts subject to meeting the height, setback, parking and open space requirements of this chapter.

The density for the project is 7.64 units per acre. The proposed development will comply with the height, setbacks, parking (subject to approval of LU-2020-0029 for tandem parking), and open space requirements.

Maximum building height shall be the maximum height established by the zoning district in which the project is located.

The Neighborhood Business zoning allows for a maximum height of 26 feet. The applicant proposes three different building elevations with the tallest being 22.5 feet, measured to the mid-point of the roof.

Setbacks. Minimum setbacks shall be those established by the zoning district in which the project is located, subject to the following:

- a. In the NB, RC, GC and GO zoning districts, a minimum setback of twenty (20) feet is required adjacent to a residential zoning district, with an additional ten (10) feet for each story above one (1) story if adjacent to a single-family zoning district.

The Neighborhood Business zoning district calls for a setback of 0 feet, but additional setbacks are required when a residential development is proposed in a non-residential district adjacent to a single-family zoning district. As noted above, the applicant proposes two-story units; therefore, a 30-foot setback would be required along the southern-most property line. However, a variance was granted (VAR-2019-0003) for the previous iteration of this project. The previously approved variance has not expired, and this new design will utilize the approved 20-foot setback and will maintain the same number of units along the southern-most property line.

Proposed setbacks are as follows:

Front Yard-	10 feet to the house and 20 feet to the garage
Side Yard-	0 feet on one side and 5 feet on the other side (with 10 feet between buildings).

Rear Yard- 10 feet minimum but no less than 20 feet for lots 16 through 24  
(VAR-2019-0003)

b. *A minimum setback of ten (10) feet is required from the right-of-way of an arterial street as identified in the adopted Transportation Master Plan, excluding the Downtown Mixed-Use area.*

The project does not front an arterial. Emerson Drive is considered a local road. However, as proposed, the units will be a minimum of 10 feet from the right-of-way.

*Required parking: Two (2) spaces per dwelling unit; and in compliance with the Development Standards Division 2, Parking and Loading.*

Two parking spaces are required for each unit. The applicant is proposing to provide tandem parking. Pursuant to CCMC, tandem parking is allowed in single-family residential developments subject to first obtaining approval of a Special Use Permit and meeting the supplemental standards outlined in 2.2.6(a) of the Development Standards. Each of the 42 units will have a single car garage as well as a minimum 20-foot driveway providing two on-site parking spaces for each lot. Parking will be allowed on both sides of the internal streets as well as Emerson Drive which will provide parking for guests. As proposed, sufficient parking will be provided that the Special Use Permit for tandem parking is approved.

Open Space.

a. *For Multi-Family Residential development, a minimum of 150 square feet per dwelling unit of common open space must be provided. For projects of 10 or more units, areas of common open space may only include contiguous landscaped areas with no dimension less than 15 feet, and a minimum of 100 square feet per unit of the common open space area must be designed for recreation, which may include but not be limited to picnic areas, sports courts, a softscape surface covered with turf, sand or similar materials acceptable for use by young children, including play equipment and trees, with no dimension less than 25 feet.*

This requirement does not apply. The proposed use is for a 42-lot single-family attached residential development.

b. *For Multi-Family Residential development, a minimum of 100 square feet of additional open space must be provided for each unit either as private open space or common open space.*

This requirement does not apply. The proposed use is for a 42-lot single-family attached residential development.

c. *For Single-Family Residential development or Two-Family Residential development, a minimum of 250 square feet of open space must be provided for each unit either as private open space or common open space.*

As proposed, a minimum of 806 square feet of private open space will be provided for each lot, with most lots having more than 1,000 square feet of private open space. Additionally, while it does not count towards the open space calculations, each lot will have additional yard areas in the front and/or street sides. The applicant

must demonstrate compliance prior to recording the final subdivision map.

d. *Front and street side yard setback areas may not be included toward meeting the open space requirements.*

The front and street side yard setback areas are not included in the open space calculations. The applicant must demonstrate compliance prior to recording the final subdivision map.

Landscaping. *Landscaping shall comply with the Carson City Development Standards Division 3, Landscaping.*

The applicant has identified areas for landscaping, but not a detailed landscape plan. A detailed landscape plan that demonstrates compliance with Development Standards Division 3 is required to be submitted with construction plans. Staff has included this as a condition of approval.

Special Use Permit review standards. *Where a residential use is a conditional use within a given zoning district, the Planning Commission shall make two (2) of the following findings in the affirmative in the review of the Special Use Permit in addition to the required findings of Section 18.02.080 of the Carson City Municipal Code.*

a. *The development is not situated on a primary commercial arterial street frontage.*

This finding is met. The proposed development fronts Emerson Drive which is a local road.

b. *The development is integrated into a mixed-use development that includes commercial development.*

Although the subject property is intended to develop as solely residential, it is adjacent to and in proximity to commercial and residential uses alike, thus creating a mixed-use area.

LU-2020-0029 (Tandem Parking): Pursuant to CCMC, tandem parking can be counted toward the minimum required parking in a single-family residential development if the applicant first obtains approval of a Special Use Permit and meets all of the supplemental standards outlined in CCMC, which include the following:

- *Internal and abutting public streets provide parking on both sides of the street(s); or in a case where on-street parking is not provided, guest parking is provided, within the boundaries of the project, at an increased ratio of 1 space for each unit;*

*Parking will be provided on both sides of the project's internal roadways as well as along Emerson Drive. The project has approximately 1462 linear feet of curb, not counting the space for each driveway. This provides for approximately 81 on-street parking spaces at 18 feet per space.*

- *The tandem spaces are provided on individual lots for the exclusive use of each individual lot;*

*Two parking spaces will be provided on each proposed lot via a single car garage with an additional space in the driveway. Each driveway will be a minimum of 20 feet, excluding the sidewalk.*

- *Tandem spaces must have a minimum dimension of 10 feet wide by 20 feet in length, excluding the width of the sidewalk;*

*The proposed garages will be 24 feet 1 inch in length and a minimum of 10 feet in width. The driveway will meet the required minimum dimension and will not include the sidewalk. As designed, a sidewalk will be installed on one side of the internal street.*

- *Covered parking must be provided for at least one of the two spaces;*

*Parking will be provided on each proposed lot via a single car garage, providing for a minimum of one covered parking space per lot.*

- *The driveway must have a depth of 20 feet exclusive of the sidewalk;*

*The driveways will each be a minimum of 20 feet in depth, exclusive of the sidewalk.*

As outlined above, the proposed Special Use Permit for tandem parking meets all of the supplemental requirements for tandem parking.

**6. *Will not be detrimental to the public health, safety, convenience and welfare; and***

LU-2020-0028 (Residential development in non-residential district): Staff finds that the proposed single-family residential development will not be detrimental to the public health, safety, convenience, and welfare. The use is an allowed use subject to first obtaining a Special Use Permit, consistent with the Master Plan, and will meet all City standards.

LU-2020-0029 (Tandem Parking): Staff finds the proposed tandem parking will not be detrimental to the public health, safety, convenience, and welfare. The use is allowed subject to approval of a Special Use Permit and will meet all applicable City standards.

**7. *Will not result in material damage or prejudice to other property in the vicinity, as a result of proposed mitigation measures.***

LU-2020-0028 (Residential development in non-residential district): Staff finds the single-family residential development will not result in material damage or prejudice to other property in the vicinity. The subject property is adjacent to existing single-family residential development on the west (across Emerson Drive), the interstate to the north, and an existing church and veterinary hospital to the south. A hotel is under construction immediately east of the subject property as well as an NV Energy substation. The proposed use is consistent with the existing neighborhood to the west and compatible with the church and other adjacent uses.

LU-2019-0080 (Tandem Parking): Staff finds the tandem parking will not result in material damage or prejudice to other property in the vicinity. The use is allowed subject to approval of a Special Use Permit and will meet all applicable City standards for tandem parking.

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

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

The development is required to comply with all applicable environmental and health laws concerning water and air pollution and disposal of solid waste. A copy of the proposed tentative map was submitted to the Nevada Division of Water Resources and the Nevada Division of Environmental Protection. The Public Works Department has advised of adequate capacity to meet water and sewer demand. The utility design will need to meet all applicable development standards related to water and sewer design.

**2. *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. The City has sufficient system capacity and water rights to meet the required water allocation for the subdivision.

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

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

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

The project is located adjacent to existing single-family and commercial developments which are served by the existing public services including schools, sheriff, transportation facilities, and parks. The School District continues to have the same concerns as noted previously. The District is close to capacity although space was added at Mark Twain, it will likely fill up with the Hot Springs apartments. Rezoning will be coming soon. The proposed development will not overburden police protection. Development Engineering has reviewed the development for impacts to water, sewer, storm drainage, and roadway systems. The existing infrastructure has been found to be sufficient to supply water and sanitary sewer and the City has capacity to meet the demand. The Fire Department has also reviewed the development. As proposed, sufficient access is provided with approval of alternative means and methods for the remoteness standards for separation of the two points of access into the development. As noted in the Fire Department comments, the project must comply with the currently adopted edition of the International Fire Code and the Northern Nevada Fire Code Amendments as adopted by Carson City.

**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 subdivision is adjacent to a multi-use trail, located along the northern property boundary. Residents will be able to access the trail via the sidewalk system along Emerson Drive.

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

The requested development is consistent with the concept of a Compact and Efficient Pattern of Growth (Guiding Principle 1). Carson City is committed to a compact pattern that makes efficient use of the limited land area and water resources it has available for urban growth, and that fosters the provision of infrastructure and services in a cost-effective manner.

Guiding Principal 7 discusses compact, mixed use activity centers, stating “Carson City will encourage the creation of compact, mixed-use activity centers in easily accessible and highly visible locations of the community. The activity centers will promote the efficient use of available commercial lands and concentrate retail services in pedestrian and transit-oriented development nodes that may be easily accessed from and serve surrounding neighborhoods. Activity centers will vary in size and composition depending upon their location, context and level of priority.”

Given the existing surrounding neighborhood context, staff finds this proposal to be consistent with the master plan.

The zoning designation is Neighborhood Business. Residential uses are permitted in this zoning district subject to first obtaining approval of a Special Use Permit for residential uses in a commercial zoning district. The applicant has concurrently applied for a Special Use Permit (LU-2020-0028) and the Tentative Subdivision Map is reliant upon approval of the SUP. The Tentative Subdivision Map is also dependent upon the approval of the concurrent applications for a Special Use Permit for tandem parking (LU-2020-0029). Staff finds the proposed subdivision is consistent with the Master Plan land use designation, and as conditioned is consistent with the zoning ordinance.

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

The proposed subdivision is in conformance with the City's master plan for streets and highways. Emerson Drive is a local road. The recommended conditions of approval include improvements consistent with local road standards.

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

As proposed and conditioned, the project will have little or no detrimental effect on vehicular or pedestrian traffic. The applicant has provided a traffic memo outlining the estimated trips, based on the ITE Trip Generation Manual (9<sup>th</sup> edition). The proposed single-family residential project will generate approximately 400 daily trips with an AM peak of 32 trips and a PM peak of 42 trips. This is below the threshold for a full traffic analysis. The transportation department has reviewed the project and has no concerns regarding adjacent signalized intersection. The project will include improvements such as sidewalks, curb, gutter, striping and half-street paving along Emerson Drive. These

sidewalks will complete a connection on the east side of Emerson Drive between College Parkway and the multi-use path located along the northern boundary of the project. Additionally, the Carson City Unified Pathways Master Plan calls for on-street bike lanes on Emerson Drive; therefore, the applicant will be required to stripe bike lanes from College Parkway to the northern boundary of the project, and transition into the multi-use path adjacent to the freeway.

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

The site is relatively flat, and there are no faults near the site. The property is not located in a FEMA flood zone that requires special flood damage prevention considerations.

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

The proposed tentative map has been routed to the Nevada Department of Environmental Protection (NDEP) and the Nevada Division of Water Resources. Public Works has indicated sufficient water and sewer capacity to meet the demands of this project.

**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.***

The Public Works Department has reviewed the project in conjunction with the Fire Department. There is sufficient secondary access and sufficient fire flows to serve the project. The subdivision proposes two connections to Emerson Drive in accordance with City design standards. The Fire Department has reviewed and approved the applicant's request for Alternative Means and Methods related to the remoteness requirement for the access road.

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

The project abuts an existing multi-use path. The applicant will be required to construct curb, gutter, and sidewalk which will complete the connection between the trail and College Parkway on the east side of Emerson Drive.

Attachments

Applications:

SUB-2020-0008

LU-2020-0028

LU-2020-0029

Applicant's voluntary Condition (email dated 8/13/2020)

Fire Departments Alternative Means and Methods Approval

Alternative Means and Methods Request

# Emerson Cottages

Application to City of Carson City for a:

## ***Tentative Subdivision Map Special Use Permit***

**Prepared by:**



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**Submitted on July 16, 2020**

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**Appendix A**

**Application Materials**

Tentative Map Application Form

Special Use Permit Application (2 forms: one for SF attached, one for tandem parking)

Architecture package (4 floor plans & related elevations)

Master Plan Policy Checklist for a Tentative Map

Documentation of Taxes Paid

Owner Affidavit

Topo & Boundary Survey

Legal Description

Trip Generation Letter (Monte Vista)

Sewer Impact Letter (Monte Vista)

Water System Analysis Report (SB Engineering)

Conceptual Drainage Study (Monte Vista)

Geotechnical Investigation (Axion Engineering)

**Civil Plan Set (5 sheets)**

C1.0 - Title Sheet

C2.0 - Site Plan

C3.0 - Site & Utility Plan

C4.0 - Grading Plan

C5.0 - Drainage & Erosion Control Plan

## Project Requests

This application is a request for **Tentative Subdivision Map** for 42 SF attached lots and **two Special Use Permits** for a) SF attached project in the Neighborhood Business zoning district and b) a SUP for Tandem Parking. This is a 5.5-acre site on one parcel located on Emerson Drive just north of College Parkway. See Figure 1 – Vicinity Map below.



Figure 1 – Vicinity Map

## Zoning & Land Uses

The site is adjacent to SF-6 zoning in all directions and has an established SF neighborhood abutting to the west. (See *Figure 2 – Zoning Map* below). Actual uses in those zones are the NVE Transformer Station to the east, church to the south, and the I-580 freeway to the north.

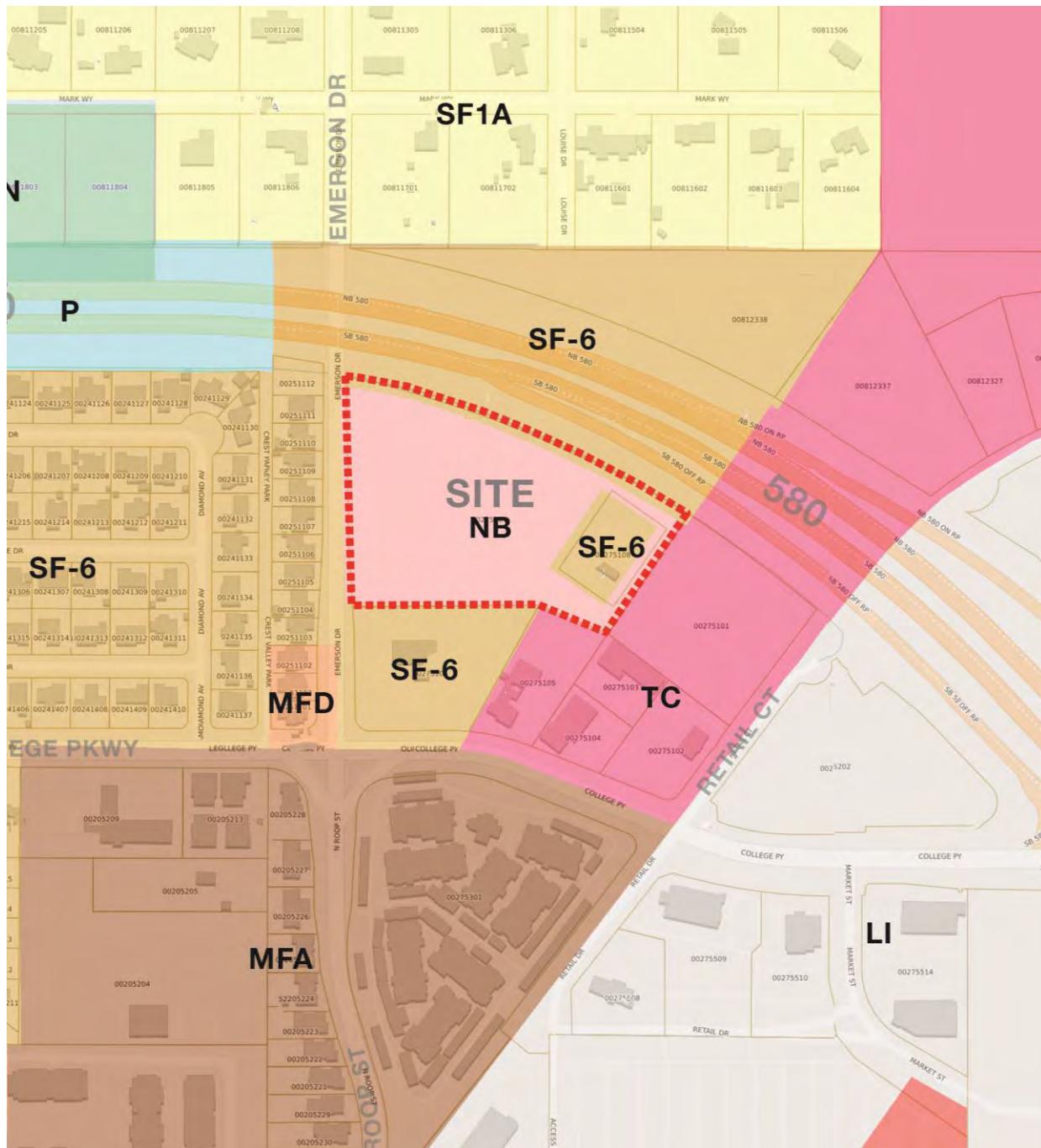


Figure 2 – Existing Zoning Map

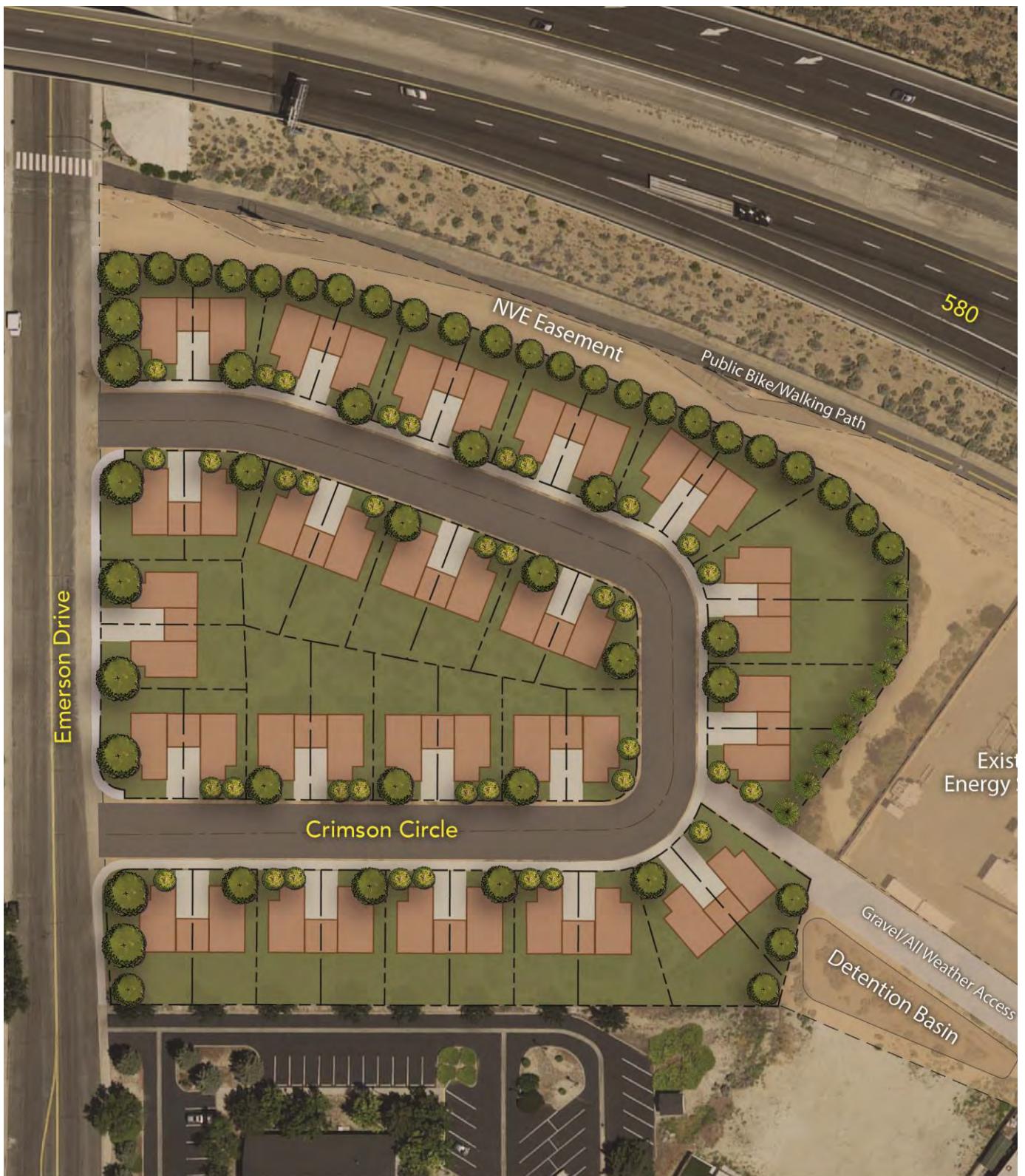


Figure 3 – Tentative Map

## **Project Description & SUP Summary for SF Attached**

This is a 42 lot SF attached (townhome) project. Unit Mix includes three floor plans as follows:

Plan	Size (sf)	Bedrooms	Bathrooms	Stories
1	901	2	1	1
2	1,252	3	2.5	2
2A	1,445	3 with loft	2.5	2
3	1,327	3	2.5	2
3A	1,541	3 with loft	2.5	2

Note: 4-bedroom units are not an option to avoid creating more demand for parking.

- All units will have 2-parking spaces (1-car garage and 1 driveway space per unit). This is a SUP for Tandem Parking discussed in detail in this narrative.
- The prototype lot size is 39' x 81.5' and 3,160 sf lot size. There are some exceptions internal to the project where the average lot size is 3,416 sf.
- Minimum lot size is 2,524 sf and the largest lot is 6,464 sf
- Street width meets the Urban Street specification in Carson City with parking both sides.
- Guest parking is provided at a rate exceeding the code of 1 space per home (47 spaces provided and 45 required)
- Building height for the tallest home is 22' 6" per the code definition of height (mid-point of the roof). The elevation in Figure 4 below shows the proposed height of that home

### Setbacks are:

Front Yard = 10' to the house and 20' to the garage

Side yard = 0' one side, 5' minimum on the other and 10' between houses (most are about 14')

Rear yard = 10' minimum depth in the rear yard (most are 20' or greater). Some lots have side and/or rear yard setbacks referenced to a single point due to lot geometry that creates "pinch points". This is a case where average distance is a better representation of the overall neighborhood feel and the quality of the yard areas as shown in the open space exhibit.

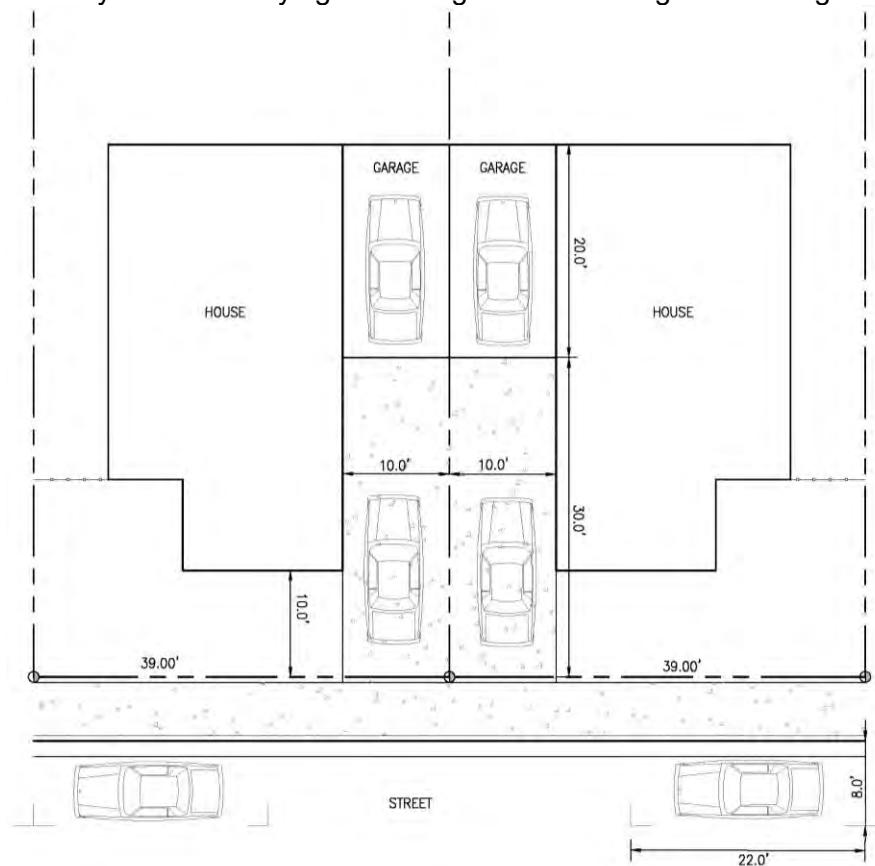


Figure 4 – Building Height

## **SUP description for Tandem Parking**

Many builders are building homes with tandem parking in production homes in our region today. There are several reasons for doing so. Our findings show the following reasons in support of tandem garages:

- Affordability for the homebuyer is key. It allows the builder to design the home and provide tandem parking or garages without adding more width. In design terms, roughly 11' is added to the width of the house when side-by-side garage is added. The varied use of space allows the builder to reduce costs and pricing.
- Most homebuyers of homes with tandem garages typically have fewer cars due to affordability and smaller homes in the case of single tandem parking/garages.
- The concept of tandem parking is well accepted by homebuyers and used as flex space.
- There is less garage door dominance in the neighborhood with a single width tandem parking/ garage. This makes for a more pleasant neighborhood design and street scene.
- Tandem space offers more flexibility in design and how we allocated space to the side yards and/or rear yards when laying out a neighborhood design and lotting.



**Figure 5 – Tandem Parking Exhibit**

## Carson City Development Standards – Title 18 Appendix

### 1.18 - Residential development standards in non-residential districts.

The following standards are intended to establish minimum standards and Special Use Permit review criteria for residential development within the Neighborhood Business (NB) zoning district. In this case, the request is for SF attached (townhomes) in the NB zone.

1. Permitted uses. Residential uses are only allowed as permitted by [Chapter 18.04](#), Use Districts, as a primary or conditional use in the applicable zoning districts.

*Per 10.04.120 section 3: Conditional uses which require approval of a SUP are:*

*Single family, two-family, and multifamily dwellings*

2. Maximum permitted density. There is no maximum residential density within non-residential zoning districts subject to meeting the height, setback, parking and open space requirements of this chapter.

*The project is 7.6 du per acre which meets the development standard that does not have a density limit.*

3. Maximum building height shall be the maximum height established by the zoning district in which the project is located.

*The proposed height is 22' 6". The NB district allows 26' height and additional height with a SUP but it is not needed. The applicant is proposing a 2-story townhome unit and would like the flexibility of going up to a maximum height of 26' per the zoning code.*

Setbacks. Minimum setbacks shall be those established by the zoning district in which the project is located, subject to the following:

- a. In the NB, RC, GC and GO zoning districts, a minimum setback of twenty (20) feet is required adjacent to a residential zoning district, with an additional ten (10) feet for each story above one (1) story if adjacent to a single-family zoning district.

*This standard requires a 30' adjacent to the SF-6 residential zoning district on the south and the east. That is based on 20' setback plus 10' for the 2<sup>nd</sup> story request. Note: A variance was approved to allow a 20' rear yard setback adjacent to that property line. We have implemented that standard in this project design and Tentative Map.*

- b. A minimum setback of ten (10) feet is required from the right-of-way of an arterial street as identified in the adopted Transportation Master Plan, excluding the Downtown Mixed-Use area.

*This is not applicable to this project.*

4. Required parking: Two (2) spaces per dwelling unit; and in compliance with the Development Standards [Division 2](#), Parking and Loading.

*There are 2 parking spaces per unit (1 garage space and 1 driveway space per unit). In addition, there is on-street parking on one side of the street that includes a total of 47 street spaces.*

5. Open Space.

- a. ~~For Multi Family Residential development, a minimum of 150 square feet per dwelling unit of common open space must be provided. For projects of 10 or more units, areas of common open space may only include contiguous landscaped areas with no dimension less than 15 feet, and a minimum of 100 square feet per unit of the common open space area must be designed for recreation, which may include but not be limited to picnic areas, sports courts, a softscape surface covered with turf, sand or similar materials acceptable for use by young children, including play equipment and trees, with no dimension less than 25 feet.~~
- b. ~~For Multi Family Residential development, a minimum of 100 square feet of additional open space must be provided for each unit either as private open space or common open space.~~
- c. For Single-Family Residential development or Two-Family Residential development, a minimum of 250 square feet of open space must be provided for each unit either as private open space or common open space.

*There is 806 sf of open space provided as the minimum for the smallest lot. Additional yard area and open space is provided in the side yard and front yard. This standard is met as designed. Please see the attached Open Space exhibit on page 9 below.*

- d. Front and street side yard setback areas may not be included toward meeting the open space requirements.

*The front yard and side yard areas are excluded from the open space calculations noted in d. above.*

6. Landscaping. Landscaping shall comply with the Carson City Development Standards [Division 3, Landscaping](#).

*A preliminary landscape plan was included in the application but not required. We believe we meet and exceed the Division 3 landscaping code. We are aware that plant material selection must be on the Pollinator Friendly plant list.*

7. Special Use Permit review standards. Where a residential use is a conditional use within a given zoning district, the Planning Commission shall make two (2) of the following findings in the affirmative in the review of the Special Use Permit in addition to the required findings of [Section 18.02.080](#) of the Carson City Municipal Code.

- a. The development is not situated on a primary commercial arterial street frontage.

*Emerson Drive is a local street classification, not a Collector street or an Arterial Street. This finding has been met.*

- b. The development is integrated into a mixed-use development that includes commercial development

*This is a single use development type that does not include a mix of uses so this finding is not satisfied.*

- c. The applicant has provided evidence that the site is not a viable location for commercial uses.

*The property owner sought a zone change in late 2015 with an approval decision granted in March of 2016. The property has been marketed for commercial use for about 3.5 years with no interest in the site. The following summary of findings have occurred during the marketing period for a commercial use:*

- 1) *The site is too isolated for commercial activity. It is surrounded by SF residential and a church. It is a very quiet area and does not draw commercial interest.*
- 2) *The primary access is from a local street with traffic volumes that are too low for any viable commercial use*
- 3) *There is a major commercial activity “around the corner: on College Parkway and South on Roop street.*

*There is clear evidence that this site is not functional for commercial use and this finding is satisfied.*

- d. The site is designated Mixed-Use Commercial, Mixed-Use Residential or Mixed-Use Employment on the Master Plan Land Use Map and the project meets all applicable mixed-use criteria and standards.

*The site is designated Community/Regional Commercial so this finding is not satisfied.*

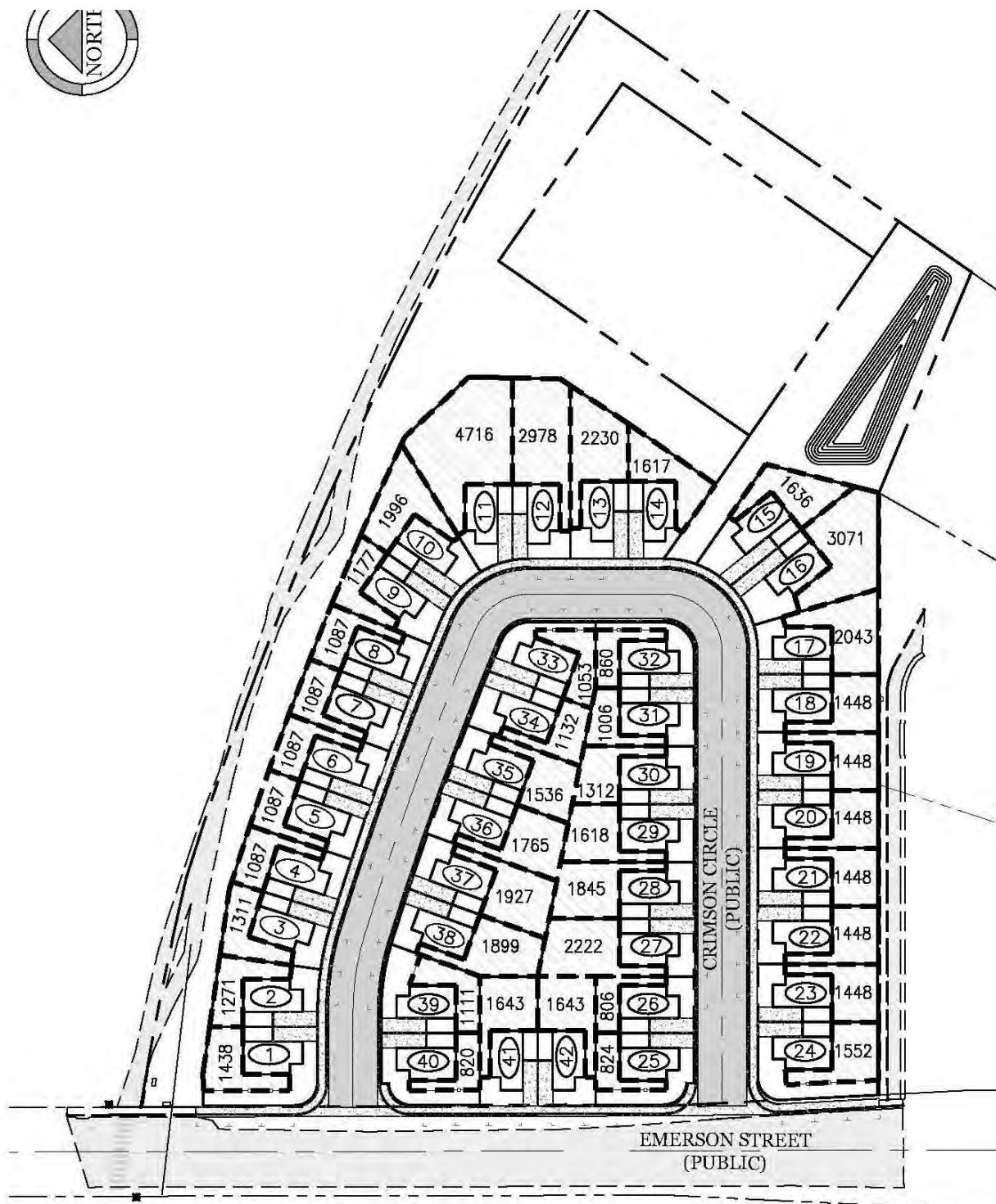


Figure 6 - Open Space Exhibit

## **SPECIAL USE PERMIT FINDINGS (For SF Attached & Tandem Parking)**

State law requires that the Planning Commission consider and support the statements below with facts in the record. These are called "FINDINGS". Since staff's recommendation is based on the adequacy of your findings, you need to complete and attach the required findings with as much detail as possible to ensure that there is adequate information supporting your proposal.

**THE FINDINGS BELOW ARE PROVIDED IN THE EXACT LANGUAGE FOUND IN THE CARSON CITY MUNICIPAL CODE (CCMC), FOLLOWED BY EXPLANATIONS TO GUIDE YOU IN YOUR RESPONSE. ON A SEPARATE SHEET TO BE INCLUDED WITH YOUR COMPLETE APPLICATION, LIST EACH FINDING AND PROVIDE A RESPONSE IN YOUR OWN WORDS. ANSWER THE QUESTIONS AS COMPLETELY AS POSSIBLE TO PROVIDE THE PLANNING COMMISSION WITH THE DETAILS NECESSARY TO CONSIDER YOUR PROJECT. IF A FINDING DOES NOT APPLY TO YOUR SITUATION, EXPLAIN WHY.**

**CCMC 18.02.080(5) FINDINGS.** Findings from a preponderance of evidence must indicate that the proposed use:

**1. Will be consistent with the objectives of the Master Plan elements.**

Explanation: Explain how your project will further and be in keeping with, and not contrary to, the goals of the Master Plan elements. Turn to the Master Plan Policy Checklist included with this application. The Master Plan Policy Checklist for Special Use Permits and Major Project Reviews addresses five items that appear in the Carson City Master Plan. Each theme looks at how a proposed development can help achieve the goals of the Carson City Master Plan. Address each theme; a check indicates that the proposed development meets the applicable Master Plan Policy. Provide written support of the policy statement in your own words as a part of these findings. For additional guidance, please refer to the Carson City Master Plan document on our website at [www.carson.org/planning](http://www.carson.org/planning) or you may contact the Planning Division to review the document in our office or request a copy.

*This proposal is consistent with every single objective that applies to this proposal in the city Master Plan elements. We would ask staff to comment and if there are any deficiencies or disagreements to this consistency statement noted, we will address those for staff and public review.*

**2. Will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood; and is compatible with and preserves the character and integrity of adjacent development and neighborhoods or includes improvements or modifications either on-site or within the public right-of-way to mitigate development related to adverse impacts such as noise, vibrations, fumes, odors, dust, glare or physical activity.**

Explanation: A. Describe the general types of land uses and zoning designations adjoining your property (for example: North: grocery store, Retail Commercial zoning)

*The adjacent land uses and zoning appear to be highly compatible with this use. SF-6 zoning is adjacent on three sides of the site with TC zoning to the east. While*

*zoning is more conceptual with a potential broad list of uses, actual uses are a better measure of compatibility.*

B. Explain why your project is similar to existing development in the neighborhood, and why it will not hurt property values or cause problems, such as noise, dust, odors, vibration, fumes, glare, or physical activity, etc. with neighboring property owners. Have other properties in your area obtained approval of a similar request? How will your project differ in appearance from your neighbors? Your response should consider the proposed physical appearance of your proposal, as well as comparing your use to others in the area.

*Our proposal is a single-family use surrounded by mostly single-family zones and uses. Evaluating uses in all directions, there is single family across the street on Emerson Drive, the church to the south is a excellent land use relationship, the freeway to the north with a sound wall, and the proposed hotel further east of the NVE transformer station. The most sensitive adjacent land use issues on the surface are the transformer station and the freeway. Both are about visual impacts which are simply managed with landscape screening as proposed.*

*With regard to tandem parking, there is some responsibility to consider impacts to the adjacent single-family project across Emerson Drive. The applicant is confident that parking provided is adequate for the home buyers and the neighborhood. The reason is knowledge of the market and knowing your buyer. These are smaller household sizes, fewer cars per household, and adequate guest parking by providing one space per home on-street. There will not be detrimental impact to the neighborhood and not be a pervasive impact of parking. The investment in containing the parking to the neighborhood is important to the investors of this project.*

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

*Considering the lack of intensity for this proposal, the 2-story height cap, and the setbacks and low traffic generation, this is highly sensitive to the neighborhood and will not be detrimental in any fashion.*

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

*We will only use dark sky light standards for street lighting if approved or required by the city. This are inherently shied and will not affect adjoining properties.*

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

*Please see the attached Conceptual Development Plan. it specifically accomplishes screening adjacent to the most sensitive surroundings and adds street trees for street character on the public street.*

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

*Short range is filling a housing need and housing product type that is highly desired in the market with an attainable price point. Longer range benefit is the resourceful use of land, and additional tax base to benefit the city.*

**3. Will have little or no detrimental effect on vehicular or pedestrian traffic.**

Explanation: Consider the pedestrian and vehicular traffic that currently exists on the road serving your project. What impact will your development have to pedestrian and vehicular traffic when it is successfully operating? Will additional walkways and traffic lights be needed? Will you be causing traffic to substantially increase in the area? State how you have arrived at your conclusions.

*There is no detriment on vehicle or pedestrian traffic. Just the opposite is true. This makes a pedestrian link for improved connectivity. It connects directly to the multi-purpose path which is a quality of life issue for this location, the low traffic generation fits well with the functional operation of the abutting local street.*

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

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

*Yes, it will add a prorata share of student population for the number and type of students that can be forecasted for the single-family product type.*

B. How will your project affect police and fire protection?

*Yes, it will add a prorata demand for police and fire services. The benefit is that it falls within an established service radius for both police and fire services.*

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

*Yes, there is adequate water supply and pressure to serve the site. please see the civil utility plan that includes a water system loop as directed by the city engineering department. Also, the system analysis prepared by SB Engineering.*

D. If your project will result in the covering of land area with paving or a compacted surface, how will drainage be accommodated?

*Drainage has been studied and design with a detention basin to address the increase in runoff as a result of the impervious surface that is being created.*

E. Is there adequate capacity in the sewage disposal trunk line that you will connect to in order to serve your project, or is your site on a septic system?

*Sewage disposal is being gravity routed to the main trunk line in Emerson Road with excess capacity that has been provided by the engineering department.*

F. What kind of road improvements are proposed or needed to accommodate your project?

*A single local street designed and to be built to city design standards has been proposed. This again was addressed with the city engineering staff.*

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

*The source is a private civil engineer for the subdivision design and a civil engineer for the geotechnical investigation.*

**5. Meets the definition and specific standards set forth elsewhere in Carson City Municipal Code, Title 18 for such particular use and meets the purpose statement of that district.**

Explanation: Explain how your project meets the purpose statement of the zoning district in which it is located and how it meets the specific standards that are set forth in that zoning district. In CCMC Section 18.04, Use Districts, find the zoning district where your property is located. Refer to the purpose statement at the beginning of the zoning district section and explain how your project meets the purpose statement of that district. In addition, find the specific Intensity and Dimensional Standards for your zoning district in either CCMC Section 18.04.190 (Residential) or CCMC Section 18.04.195 (Non-Residential) and explain how your project meets these specific standards. To access the Carson City Municipal Code, visit our website at [www.carson.org/planning](http://www.carson.org/planning).

**18.04.120 - Neighborhood business (NB).**

The purpose of the NB District is to provide services for the larger neighborhood, within walking or bicycling distance, and limited primarily to offices and retail sale of new merchandise. Unless expressly permitted otherwise by this section, all uses within the NB District shall be conducted with a building with no outside storage. Temporary outdoor display

and sale of merchandise for a period not to exceed thirty (30) days within a calendar year may be authorized by the Director subject to Title 18.02.115.8 (Outdoor Sales and Activities).

1.

The Primary Permitted Uses in the NB District are this list plus other uses of a similar nature and those uses allowed in [Section 18.04.115](#) General Office, except those uses appearing in Section 18.04.120.3 Neighborhood Business as Conditional uses which require a Special Use Permit:

3. The Conditional Uses in the NB District which require approval of a Special Use Permit are:

*Single-family, two-family and multi-family dwelling;*

*This is a single family attached use being proposed that can be reasonably argued as a more appropriate use even though it requires a SUP because of the surrounding conditions and high level of compatibility it offers to the neighborhood. In addition, it completes some missing public infrastructure for city wide benefit and will generate minimal disruption to the neighborhood.*

**6. Will not be detrimental to the public health, safety, convenience and welfare.**

Explanation: Provide a statement explaining how your project will not be detrimental to the public health, safety, convenience and welfare. If applicable, provide information on any benefits that your project will provide to the general public.

*There is no conceivable detriment to the public health, safety, and welfare of any citizens. We would suggest there is clear and convincing public benefit to the citizens of the project and the general public by having direct access to the pedestrian and bike facilities abutting the project, the commercial services nearby, and the public park within walking distance of the site.*

*Our proposal is a single-family use surrounded by mostly single-family zones and uses. Evaluating uses in all directions, there is single family across the street on Emerson Drive, the church to the south is an excellent land use relationship, the freeway to the north with a sound wall, and the proposed hotel further east of the NVE transformer station. The most sensitive adjacent land use issues on the surface are the transformer station and the freeway. Both are about visual impacts which are simply managed effectively with landscape screening as proposed.*

**7. Will not result in material damage or prejudice to other property in the vicinity, as a result of proposed mitigation measures.**

Explanation: Provide a statement explaining how your project will not result in material damage or prejudice to other property in the vicinity.

*Given all of the prior explanations of compatibility in all directions with respect to adjacent land uses and zoning, there is no material damage or prejudice to other properties in the vicinity.*

*The mitigation measure for tandem parking is a collection of a few things. First, the small homes and lower pricing attract a smaller household size. The builder knows their market and knows their buyer. So, this resolves itself to a certain extent. This means less parking demand per house and fewer cars in the neighborhood. Also, the street parking provided on both sides of the street is a mitigation measure for guest parking.*

### **Tentative Map Findings - 17.07.005**

In considering parcel maps, planned unit developments and tentative subdivision maps the director shall consider the following:

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.

*Yes, the project does connect to community water and sewer utilities owned by Carson City. Also, the solid waste service will be provided by Waste Management.*

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

*Water is connected to the project via a main in Emerson Drive and looped for a connection to the main in Retail Court which is required in the PW design manual and the Carson City engineering staff.*

3. The availability and accessibility of utilities.

*All utilities are located adjacent to the site in Emerson Drive. Connections are made to those utilities as needed to serve the project.*

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

*Given an infill location in an Urban setting, there is reasonable access to schools in the area. Police services are already provided to this part of the city. There is ready access to the Wilson Memorial Park located about ¼ of a mile from the site and directly adjacent to the Carson City Parks multi-purpose path with a direct connection to that path.*

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.

*This is not applicable as the site is not adjacent to any public lands.*

6. Conformity with the zoning ordinance and land use element of the city's master plan.

*The project does conform with the NB zoning ordinance as proposed which allows for the use with a SUP and related development standards which are address in title 1.18 attached. Similarly, the Master Plan policy checklist shows conformance with the Master Plan for those applicable goals & policies.*

7. General conformity with the city's master plan for streets and highways.

*Yes, the project generates only 42 PM peak hour trips which is well below the 80 p.m. peak hour trips threshold (about half) for further study and consistent with the local street classification of Emerson Drive and its capacity restrictions.*

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

*The proposed subdivision traffic is routinely managed on the existing public streets without necessary mitigation. There is one new local street being created to serve the project named Crimson Circle.*

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

*The physical characteristics of the land are ideally suited for the project. There are no environmental constraints, no topographic constraints, no flood plains, no earthquake faults to restrict development of this nature. Also, the soil conditions are such that it is quite favorable for storm drain infiltration.*

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

*This is not applicable at the time of this application submittal.*

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.

*Fire protection services will be provided by the Station located on College Parkway about 1.2 miles from the site. The applicant understands this is about a 3-minute response time (travel time only) from that station. Also, there are fire hydrants located on Emerson Drive in the immediate vicinity of the site.*

12. Recreation and trail easements.

*There is a recreation trail abutting the site shown on the Carson City GIS system as a multi-purpose path with a paved bike path to be shared with pedestrian as well.*