

**STAFF REPORT FOR THE PLANNING COMMISSION MEETING OF
DECEMBER 20, 2022**

FILE NO: LU-2022-0434

AGENDA ITEM: 14.M

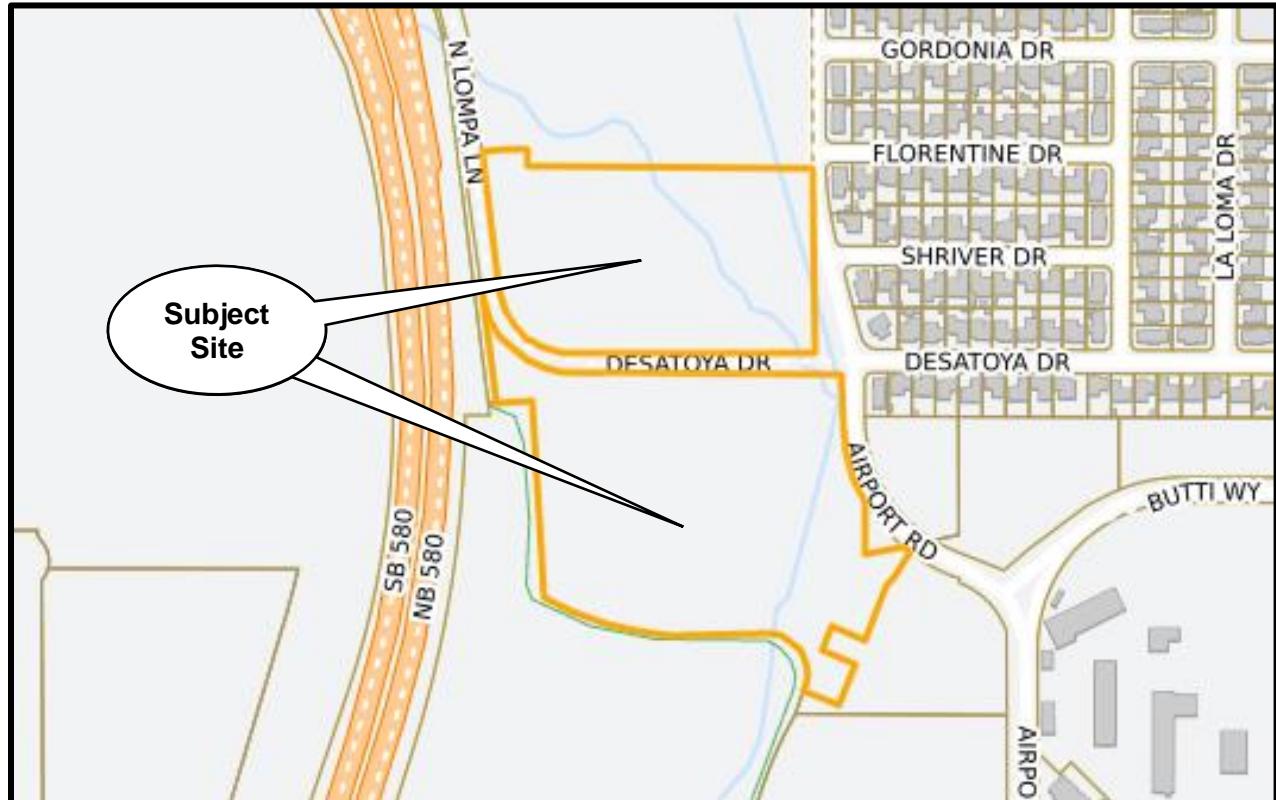
STAFF CONTACT: Heather Manzo, Associate Planner

AGENDA TITLE: For Possible Action: Discussion and possible action regarding an application from Tanamera Construction ("Applicant") for a special use permit ("SUP") for a multifamily residential development on properties within the Lompa Ranch North Specific Plan Area zoned Multifamily Apartment, Specific Plan Area ("MFA-SPA") and Single Family Residential – 6,000, Specific Plan Area ("SF6-SPA") located to the west of Airport Road, to the east of Interstate 580, and generally to the south of Menlo Drive, Assessor's Parcel Numbers ("APNs") 010-741-02 & -03. (Heather Manzo, hmanzo@carson.org)

STAFF SUMMARY: The Applicant is proposing to construct a 306-unit multi-family residential project on a ±23.98-acre parcel. The parcel was recently involved in a lot line deletion resulting in the merging of two parcels into one (a new APN has not been assigned). The parcel has two use districts, MFA-SPA and SF6-SPA. A multifamily dwelling is allowed in MFA-SPA but not in SF6-SPA. Under Carson City Municipal Code ("CCMC") 18.04.020, an SUP is required where a use is allowed in one use district on the parcel but not the other use district. The Planning Commission is authorized to approve the SUP.

PROPOSED MOTION: "I move to approve the special use permit LU-2022-0434 based on the ability to make the required findings, and subject to the conditions of approval contained in the staff report."

VICINITY MAP:



RECOMMENDED CONDITIONS OF APPROVAL

1. All development shall be substantially in accordance with Special Use Permit plans and application materials on file with the Carson City Planning Division.
2. All on and off-site improvements shall conform to City standards and requirements.
3. The applicant shall meet all the conditions of approval and commence the use for which this permit is granted, within 12 months of the date of issuance of the special use permit. A single, one-year extension of time may be granted if requested in writing to the Carson City Community Development, Planning Division ("Planning Division") 30 days prior to the one-year expiration date. Should this permit not be initiated within one-year and no extension granted, the permit shall become null and void.
4. The applicant must sign and return the Notice of Decision within ten (10) days of receipt of notification. If the Notice of Decision is not signed and returned within ten (10) days, then the item may be rescheduled for the next Planning Commission meeting for further consideration.
5. Prior to the issuance of a site improvement permit, the applicant must submit proof that there is an active 404 permit with the Army Corp of Engineers for the site. Any mitigations required by the Army Corp of Engineers shall be incorporated within the plan set. Wetlands shall be identified on the plans and except where allowed by the 404 permit, shall be undisturbed and preserved.
6. Prior to the issuance of a site improvement permit, the Applicant must enter into a pro-rata share agreement to pay an amount not to exceed \$30,000 for a portion of the multi-use path extension from the current terminus of North Lompa Lane to the Highway 50 East right-of-way, or similar mitigation for multimodal transportation to the Highway 50 East right-of-way, as approved by the City Engineer.
7. Prior to the issuance of a site improvement permit, the Applicant shall demonstrate that the sewer main easement through the multifamily project has been widened to 35 feet due to the depth and size of the main.
8. Prior to the issuance of a site improvement permit the extension of North Lompa Lane right-of-way must be offered to the City for dedication.
9. Prior to the issuance of a site improvement permit, the Applicant shall demonstrate that the public roadway easement adjacent to Airport Road has been abandoned.
10. Prior to the issuance of a site improvement permit, the Applicant shall have plans approved which include the following, to the satisfaction of the City Engineer:
 - All mitigations recommended by the traffic impact study must be shown.
 - Parking spaces may not be placed within 10 feet of a water or sewer main.
 - The existing sewer manholes within the project limits must be removed and replaced or rehabilitated. All manhole improvements must be constructed using corrosion resistant materials.
 - Public storm drains must be routed around the project to the extent practicable or

located within a drainage easement.

11. Prior to the issuance of any site improvement permit, the applicant shall demonstrate that the landscape plans include plant and tree species to support Carson City as a Bee City, USA. 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 and other plant selection resources can be found at www.carson.org/beecityusa
12. Prior to the issuance of a grading or site improvement permit, the applicant shall demonstrate that "best management practices" have been incorporated into the construction documents and specifications to reduce the spread of noxious weeds.
13. Prior to the issuance of a site improvement permit, the applicant shall demonstrate that landscape plans are consistent with Carson City Development Standards ("CCDS"), Division 3 and the following:
 - Common open space landscaping shall consist of a minimum of 1 tree per 1,000 square feet, and 3 shrubs per tree within the common open space parcels. Landscaping may be clustered in areas to provide a visual or recreational benefit to residents.
 - Where possible, deciduous trees must be planted a minimum of 5 feet from any city/public street, sidewalk or pathway and 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. Trees shall be planted to the current International Society of Arboriculture ("ISA") standards.
 - Special care and consideration should be taken in the protection of existing trees on-site.
 - The Carson City Parks, Recreation and Open Space Department shall review and approve all landscape plans within areas designated for public use.
14. Prior to the issuance of a site improvement permit the applicant shall, as approved by the Carson City Parks, Recreation and Open Space and Community Development Departments:
 - Include park amenities for public use, reserving public access to the existing multi-use pathway system and the areas identified on the Park/Amenity Concept Plan or should the 3-acre park site become available for design and construction, the applicant shall initiate the process contained in the SPA Handbook and Lompa Ranch Development agreement.
 - Record a restriction on the property noting that the site is subject to a Landscape Maintenance District ("LMD") to provide for funding of maintenance for the 3-acre park site once constructed, in perpetuity.
 - All on-site common open space shall be privately owned and maintained.
15. Prior to the issuance of a site improvement permit, the Applicant shall have plans approved to provide connectivity to the City's existing path system. The connections to the multi-use path shall be complete prior to the issuance of the first Certificate of Occupancy for the project. The applicant shall provide the following:

- Neighborhood access corridors connecting to the city's multi-use pathway system in accordance with the multi-use path standards contained in the SPA Handbook and as shown on the Park/Amenity Concept Plan.
- The Applicant shall have a non-motorized public access easements or a similar legal instrument granting public access in perpetuity for these connections. The easement width shall be determined by the Carson City Parks, Recreation and Open Space and Public Works Departments. At a minimum the public easements shall encompass the 10-foot concrete multi-use path and 3-foot-wide decomposed granite area adjacent to the concrete pathway.

16. Prior to the issuance of any permit to install or construct playground equipment, the Applicant shall demonstrate that the equipment will be installed to Consumer Product Safety Commission guidelines and be inspected by a Certified Playground Safety Inspector ("CPSI") prior to opening. Certified inspectors can be found at https://apps.nrpa.org/CPSI_Registry/

17. If the project is developed in phases, each phase shall stand alone. The site improvement permit for the first phase of this development shall include identified mitigations for the entire project, including but not limited to: a looped water system, secondary access, and other mitigations or improvements that are necessary to support this project at buildout.

18. Prior to the issuance of site improvement and building permits, the Applicant shall demonstrate that plans are consistent with the SPA Handbook and CCMC standards for multifamily development including CCDS 1.17.

19. Prior to the issuance of a site improvement permit, the applicant shall demonstrate that all garage spaces will be reserved for vehicle parking only and shall not be used for storage. The Applicant shall provide a notice to tenants disclosing this limitation. This may include, but is not limited to, providing a parking plan that assigns parking spaces to each unit and providing staff with a draft of the disclosure notice.

LEGAL REQUIREMENTS: Carson City Municipal Code ("CCMC"): 18.02.080 (Special Use Permits), 18.04.020 (Determination of Districts), 18.04.075 (SF6), 18.04.105 (MFA Residential Districts), and CCDS Division 1.17 (MFA Development Standards)

MASTER PLAN DESIGNATION: High Density Residential and Medium Density Residential

PRESENT ZONING: MFA-SPA and SF6-SPA

KEY ISSUES: Will the proposed development be compatible with the surrounding neighborhood and be in keeping with the standards of CCMC and the Lompa Ranch North Specific Plan?

SURROUNDING ZONING AND LAND USE INFORMATION:

- EAST: SF6 & PC / single family residential and vacant land
- WEST: A, MFA-SPA & MFD-SPA / vacant
- NORTH: MFA-SPA / vacant
- SOUTH: A & SF6-SPA / stormwater features, vacant future park site

ENVIRONMENTAL INFORMATION:

- FLOOD ZONE: AE, X and X Shaded
- EARTHQUAKE FAULT: on-site at the southernmost portion of the property
- FAULT ZONE: Zone 1 greatest severity
- SLOPE: The site is relatively flat

SITE DEVELOPMENT INFORMATION:

- SITE SIZE: ±23.95 acres
- EXISTING DEVELOPMENT: vacant
- PROPOSED DEVELOPMENT: multifamily residential development
- PROPOSED PARKING: 765 required, 766 provided parking spaces

PREVIOUS REVIEWS:

MPA-15-162: (March 17, 2016) Adoption of the Lompa Ranch North Specific Plan

MISC-17-001: (March 17, 2016) Approval of the Lompa Ranch North Phasing Plan

ZMA-15-163: (April 7, 2016) Adoption of a Zoning Map Amendment

TPUD-18-010: (February 7, 2019) Tentative Planned Unit Development Subdivision for 137 single family residences and 13.54 acres of land allocated for multifamily development

BACKGROUND:

Lompa Ranch is one of four Specific Plan Areas identified in the Master Plan. The Lompa Ranch North Specific Plan Area (“SPA”) is ±251.33 acres in size located on the east and west side of Interstate 580 (“I-580”), generally south of East William Street and north of East 5th Street. The policies contained in the Lompa Ranch North Specific Plan Area Handbook (“SPA Handbook”) adopted on March 17, 2016, apply to the properties located within the SPA and establishes the framework in which development proposals within the area are reviewed.

The SPA is intended to include a mix of uses including residential areas of various densities, commercial areas, two park sites, pedestrian connectivity, and a ten-acre school site. The SPA Handbook addresses design standards, parks, open space, trails, sanitary sewer, water service, stormwater management, utility services, roadways and traffic, fire and police protection and schools.

With respect to infrastructure and public services, the SPA Handbook includes a phasing plan that addresses storm water and drainage, traffic and roadways, water and sanitary sewer planning for the SPA. The SPA Handbook also addresses parks, open space and trail amenities, as well as fire mitigation. Per the SPA Handbook, these improvements will be constructed by the developer and maintained via a homeowner’s association, landscape maintenance district or combination thereof. Several developments within the SPA located to the west of I-580 are currently being constructed or have been entitled. The proposed project represents the first residential development located on the east side of I-580 within the SPA. There are residentially zoned properties to the north and south of the subject site which are currently under common ownership. Other anticipated development along Airport Road includes a property entitled for personal storage with RV and boat storage further to the south of the subject site.

The SPA land use plan identifies a three-acre park site on the east side, adjacent to the subject site to the south. The SPA Handbook requires the park site design to begin at the 100th residential unit and that the park be constructed and dedicated by the 250th residential unit. The Applicant

does not own the site that has been identified for the future park and has been unable to acquire property owner approval to plan and construct the park site. The Applicant has submitted an alternative park amenity concept plan, with additional on-site park amenities on the southern and southwestern portions of the subject site. These areas will include amenities available to the public and are proposed to be privately maintained. The park site is discussed further in the Parks, Recreation and Open Space Department comments and SUP Finding 1 section of this report below.

In addition to the SPA Handbook, the property is subject to a development agreement that was adopted by Ordinance No. 2017-25. The development agreement includes voluntary contributions to mitigate the impacts of the development on fire services, per unit contributions in lieu of collecting residential construction tax ("RCT"), and contributions that will go toward the cost of the Carson City School District purchase of the school site. These contributions are collected at the time of building permit.

In 2019, a request to develop a single-family subdivision with remainder land for multifamily was approved, but never developed. The approved subdivision (TPUD-18-010) will expire on February 7, 2023. Approval of this request will supersede the previous entitlement.

DISCUSSION:

Per CCMC 18.04.020, when a site is split zoned, a use allowed within one of the zoning districts may be allowed on the entire site with the approval of an SUP. The Applicant has requested the approval of a SUP to allow for MFA uses and standards to be applied to the entire project site to accommodate development of the overall site with a 306-unit multifamily use. The Planning Commission is authorized to approve an SUP.

The ±23.95 acre site is bisected by an easement that will accommodate the extension of North Lompa Lane to Airport Road that will ultimately provide for an additional connection between HWY 50 East and Airport Road. The development proposes apartment buildings on the north and south sides of the future extension of North Lompa Lane, a roadway proposed to be completed with the development of this request. Access to the southern portion of the site will be provided from Airport Road and North Lompa Lane while access to the northern portion of the site will be provided by two project driveways to the south and a gated emergency access driveway at the northwest corner of the site onto North Lompa Lane.

PUBLIC COMMENTS: Public notices were mailed on December 7, 2022 to 91 property owners within 600 feet of the subject property. As of the writing of this report, staff had not received any public comments related to the request. Any comments that are received after this report is completed will be submitted to the Planning Commission prior to or at the meeting on December 20, 2022, depending on the date of submission of the comments to the Planning Division.

OTHER CITY DEPARTMENTS OR OUTSIDE AGENCY COMMENTS: The following comments were received by various City departments. Recommendations have been incorporated into the recommended conditions of approval, where applicable.

Fire Department:

1. The project shall meet or exceed the 2018 International Fire Code requirements.
2. The project shall meet or exceed the 2018 International Fire Code Northern Nevada Amendments.
3. Apartment buildings classified as an R-2 occupancy shall be provided with an approved

automatic fire sprinkler system.

4. Any building over 5000 square feet shall be provided with an approved automatic fire sprinkler system.
5. An approved fire alarm system shall be provided.
6. A key box (KNOX) shall be provided, multiple boxes maybe required.
7. On site fire hydrants shall meet or exceed the appendix C of the 2018 International Fire Code.
8. On site fire flow shall meet the 2018 International fire code.
9. For any building that are 30 feet tall or greater, shall access road widths a minimum of 26 feet unobstructed width.
10. Buildings 30 feet tall or greater, the access road must be at least 15 feet, not more than 30 feet from eh side of the building envelope, without overhead obstructions.
11. All portions of the project must meet emergency access standards throughout all phases of the project. Two separate access points need to be remote from each other and placed a distance apart equal to not less than $\frac{1}{2}$ the length of the maximum overall diagonal dimension of the area to be served.

Development Engineering:

The Carson City Public Works Department, Development Engineering Division ("Development Engineering") has no preference or objection to the special use request provided that the following conditions are met:

- Prior to issuance of a site improvement permit the project must enter into a pro rata share agreement to pay for a portion of the multi-use path extension from the project extents to the Highway 50 right-of-way, or similar mitigation for multimodal transportation to the Highway 50 right-of-way, to the approval of the City Engineer.
- Prior to issuance of a site improvement permit the sewer main easement through the multifamily project must be widened to 35 feet due to the depth and size of the main.
- Prior to issuance of a site improvement permit the extension of North Lompa Lane must be dedicated to the City as right-of-way.
- Prior to issuance of a site improvement permit the public roadway easement adjacent to Airport Road must be abandoned.
- With the application for a site improvement permit, site plans must be submitted which demonstrate compliance with the following:
 - Parking spaces may not be placed within 10 feet of a water main or sewer main.
 - The existing sewer manholes within the project limits must be removed and replaced or rehabilitated to the satisfaction of the City Engineer. These manholes will need to be constructed of corrosion resistant material.
 - Public storm drains must be routed around the project to the extent practicable or located within a drainage easement.
- The project must submit proof that there is an active 404 permit with the Army Corp of Engineers for this site, prior to a building permit being issued.
 - Any mitigations required by the Army Corp of Engineers shall be incorporated within the plan set.

Development Engineering 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. Development Engineering offers the following discussion:

The project must meet all CCDS and Standard Details including but not limited to the following:

- The project must meet FEMA LOMR requirements as well as any other Flood Damage Prevention requirements as set forth in CCMC 12.09

CCMC 18.02.080(5)(a) - Master Plan

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

CCMC 18.02.080(5)(b) – Use, Peaceful Enjoyment, Economic Value, Compatibility

Development Engineering has no comment on this finding.

CCMC 18.02.080(5)(c) - Traffic/Pedestrians

The applicant submitted a traffic impact study ("TIS") for the project which makes several recommendations to mitigate the impacts of the project, many of the recommendations are shown on the plans. In addition to the improvements presented with the SUP application, the TIS recommends a high-T configuration at the intersection of 5th Street and Airport Road to achieve acceptable levels of service at this location enabling two-stage southbound turns is necessary. A condition of approval is recommended for the applicant to incorporate all mitigations recommended in the TIS into the plans prior to the issuance of a site improvement permit for the project.

There is insufficient space at the intersection of North Lompa Lane and Highway 50 East to accommodate the necessary number of lanes as well as multimodal transportation. This is an existing issue; however, the development will add multimodal traffic to this area. Among recommended TIS improvements, the condition would require either a pro-rata contribution to a multiuse path, or similar approved mitigation. With the identified improvements and the recommended conditions of approval, the City path and road network will have capacity to support the project at acceptable levels of service.

CCMC 18.02.080(5)(d) - Public Services

Sanitary Sewer: There is sufficient sewer capacity to serve this subdivision. There are three sanitary sewer manholes within the project that must be removed and replaced or reconstructed due to their deteriorated condition.

Water: There is sufficient capacity in the City's water system to serve this project.

Storm Drain: Due to the proximity to the regional flood conveyance system, detention would be detrimental, and the project will drain directly to this system. The proposed storm drains are sufficient to serve the project and upstream flows that cross the site. See Finding 5f below for a narrative on FEMA.

CCMC 18.02.080(5)(e) – Title 18 Standards

Development Engineering has no comment on this finding.

CCMC 18.02.080(5)(f) – Public health, Safety, Convenience, and Welfare

Public Health: The project meets will meet engineering standards for health and safety if conditions are met.

Earthquake faults: The United States Geological Survey ("USGS") maps show a fault line in the southern part of the property. According to the geotechnical investigation submitted with the application, this fault line is not active and there was no evidence of the fault line discovered during the site investigation.

Federal Emergency Management Agency ("FEMA") flood zones: The parcels are primarily in FEMA flood zone AE. Any fill in the flood zone will need to be offset by an equal amount of cut

and the requirements of CCMC 12.09 Flood Damage Prevention must be met. The Applicant has an approved Conditional Letter of Map Revision (“CLOMR”), however, to comply with CCMC 12.09 a Letter of Map Revision (“LOMR”) must also be completed. There are floodplain areas that are on City land, which directly effect this area hydrologically. Excavating in these areas may benefit the City’s critical infrastructure and improve the function of the floodplain. The Applicant may elect to utilize, to the extent practicable, floodplain volume on City land to mitigate FEMA flood impacts. Any floodplain mitigation that utilizes City land would be subject to the approval of the City Engineer.

Site slope: The site is relatively flat.

Soils and Groundwater: High groundwater is anticipated. The project must meet typical construction practices and development standards related to high ground water.

CCMC 18.02.080(5)(g) – Material Damage or Prejudice to Other Property
Development Engineering has no comment on this finding.

CCMC 18.02.080(5)(h) – Adequate Information

The plans and reports provided were adequate for this analysis.

Parks, Recreation and Open Space Department

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 developer. 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 and other plant selection resources can be found at www.carson.org/beecityusa
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. Landscape plans shall be consistent with CCDS, Division 3. Note: Special care and

consideration should be taken in the protection of existing trees on-site. Where possible, 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-fruited" 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. Trees shall be planted to the current International Society of Arboriculture ("ISA") standards. The Parks, Recreation and Open Space Department shall review and approve all landscape plans pertaining to public use areas.

5. The project is subject to a per unit contribution in lieu of collection of Residential Construction Tax ("RCT") per the executed Development Agreement (Document #485378).
6. Neighborhood Park: The Applicant has made significant effort to include the 3-acre park site (APN 010-741-01) as part of the development. The park site is not owned by the Applicant and the current owner has been unresponsive to Applicant requests to obtain permission to design and develop the park site in accordance with the SPA. The applicant has cited a non-participation clause, Section 2.8 of the Development Agreement, which outlines development rights in cases where development in accordance with the SPA Handbook and Development Agreement may be affected by a lack of participation by other owners. The Applicant has reached out to the non-participating party on several occasions, including sending a certified letter to the owner of the 3-acre park site, to no avail. Since the Applicant does not control the identified park site, the Applicant has incorporated alternative public use areas that are acceptable to the City to mitigate the need to develop a park site in association with the requested project. Should the neighborhood park option become available prior to the issuance of a permit for the last apartment building, the Applicant shall work with the Parks, Recreation and Open Space Director to design, construct, and have the park site dedicated to the City in accordance with the SPA Handbook and the Lompa Ranch North Development Agreement Document #485378.
 - a. A Landscape Maintenance District ("LMD") must be established to fund the maintenance of the 3-acre park site. The applicant, or their successors agree to participate in the establishment of a LMD.
 - b. The Applicant will participate in the park design which must be approved by the Parks, Recreation, and Open Space Director.
 - c. The park site shall be dedicated to the City once construction is complete. Once the 3-acre park site is completed and has been dedicated, the public use areas within the subject site can be removed, excluding the four connections to the multi-use pathway from the site. All public recreation amenities should incorporate a public access easement concurrent with said amenities, with all operations and maintenance subject to private ownership in perpetuity by a HOA or similar instrument.
7. The Unified Pathways Master Plan ("UPMP") Chapter 7 provides the City's sidewalk policies and implementation strategies for pedestrian connectivity within the development and between the project site and the City's existing sidewalk/path systems. The design for the project's internal sidewalk system, including pedestrian cross walks, connections to the adjacent residential neighborhoods, and connections to the city's non-motorized path system and neighborhood park are subject to review and approval by Development Engineering and the Parks, Recreation & Open Space Department. The UPMP identifies

a non-motorized multi-use path adjacent to the subject property. This path has been completed by the City on the west and south side of the proposed development. The applicant shall design and construct to City standards the following to provide connectivity to the City's existing path system. The applicant shall provide the following:

- a. Neighborhood access corridors connecting to the city's multi-use pathway system in accordance with the multi-use path standards contained in the SPA Handbook.
- b. The Applicant shall have a non-motorized public access easements or a similar legal instrument granting public access in perpetuity for these connections. The easement width shall be determined by the Parks, Recreation, and Open Space and Public Works Departments.

8. All identified wetland areas within the Lompa Ranch North SPA shall be preserved.
9. Common areas, including public recreation amenities, shall be maintained privately through an HOA or similar instrument. The HOA shall provide for the operation and maintenance of all on-site public and private common areas or open space.
10. Should the 3-acre neighborhood park become a viable option in the future, a park design and construction agreement would be required and approved by the Board and the following conditions would apply:
 - a. The Master Developer shall work with the Carson City Parks, Recreation and Open Space Department and provide for a 3 acre minimum neighborhood park site on the east side of Interstate 580 as depicted on the land use plan. The park site shall be constructed and dedicated to the City prior to the issuance of the certificate of occupancy for the 250th residential unit located on the east side of I580. This shall be coordinated through and agreed upon by the Carson City Parks, Recreation and Open Space Department.
 - b. The City property (approximately .13 acres) adjacent to the 3-acre minimum neighborhood park site shall be included in the park's design and constructed with the other park amenities.
11. Playground equipment shall be installed to Consumer Product Safety Commission guidelines and be inspected by a Certified Playground Safety Inspector ("CPSI") prior to opening. Certified inspectors can be found at https://apps.nrpa.org/CPSI_Registry/

SPECIAL USE PERMIT FINDINGS: Staff's recommendation is based upon the findings as required by CCMC 18.02.080 (Special Use Permits) enumerated below and substantiated in the public record for the project.

1. *Will be consistent with the master plan elements.*

The Master Plan designations for the site are Mixed Use Commercial, Medium Density Residential (3-8 dwelling units/acre "du/ac"), High Density Residential (8-36 du/ac) and the project site is located within the Lompa Ranch North Specific Plan Area subject to the provisions of the SPA Handbook. The SPA Handbook states that the range of densities within the Specific Plan will be between 4 and 36 dwelling units per acre, however maximum densities will be based on the zoning designations. The proposed 306-unit development has an average density of 12.78 du/ac.

The Applicant has submitted a design that complies with the SPA Handbook, with the exception

of the 3-acre park site. Per the SPA Handbook, park planning, and design is supposed to commence by the 100th residential unit and be constructed and dedicated by the completion of the 250th residential unit. The Applicant has made efforts to include the 3-acre park site (APN 010-741-01) as part of the development. The park site is not owned by the Applicant and the current owner has been unresponsive to Applicant requests to obtain permission to design and develop the park site in accordance with the SPA. If, prior to the issuance of the building permit containing the 100th unit, the 3-acre park cannot be constructed as a result of non-participation on the part of another property owner, Section 2.8 of the Development Agreement may be utilized. Section 2.8 of the Development Agreement outlines development rights in cases where development in accordance with the SPA Handbook and Development Agreement may be affected by a lack of participation by other owners. Conditions of approval are recommended to require the Applicant to comply with the SPA Handbook to the extent possible. The Applicant has proposed on-site alternative public recreation amenities as presented on the Park/Amenity Concept Plan contained in the application.

As proposed, and with recommended conditions, the proposal is consistent with the adopted Master Plan and Elements.

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

The proposed project proposes building placement that will minimize the visual impact of the project from surrounding properties, several connections from the site to the existing multi-use pathway as well as approximately 8.26 acres of common open space. The multifamily use is consistent with the properties to the north and will serve as a buffer between the single-family residences to the east and I-580 to the west. Primary common open space areas have been provided along Airport Road to enhance the area between proposed buildings and the right of way, and along the southern portion of the project.

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

The applicant submitted a traffic impact study ("TIS") for the project which makes several recommendations to mitigate the impacts of the project, many of the recommendations are shown on the plans. In addition to the improvements presented with the SUP application, the TIS recommends a high-T configuration at the intersection of 5th Street and Airport Road to achieve acceptable levels of service at this location enabling two-stage southbound turns is necessary. A condition of approval is recommended for the applicant to incorporate all mitigations recommended in the TIS into the plans prior to the issuance of a site improvement permit for the project.

There is insufficient space at the intersection of North Lompa Lane and Highway 50 East to accommodate the necessary number of lanes as well as multimodal transportation. This is an existing issue; however, the development will add multimodal traffic to this area. A condition is recommended to require the applicant to provide a pro-rata contribution to the completion of the multiuse path from the existing North Lompa Lane terminus north to Highway 50 East, or similar approved mitigation. Should a pro-rata share be provided, the amount shall not exceed \$30,000. With the identified improvements and the recommended conditions of approval, the City path and road network will have capacity to support the project at acceptable levels of service.

Per recorded parcel map No. 678, a remnant access easement exists on the subject site adjacent to Airport Road, as depicted on Page 1 of 8 of the Applicant provided site layout sheets. This

easement was in place prior to the established alignment of Airport Road and is no longer needed. A condition of approval is recommended to require the Applicant to abandon the public roadway easement prior to the issuance of a site improvement permit for the project.

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.*

Police and Fire protection and services exist to the site and are sufficient to serve the development. Per the SPA Handbook and Development Agreement, the Applicant is required to provide a per-unit contribution to support the fire department and school district. These contributions will be collected with each building permit.

There is sufficient sewer capacity to serve this subdivision. There are 3 sanitary sewer manholes within the project that must be removed and replaced or reconstructed due to their deteriorated condition.

There is sufficient capacity in the City's water system to serve this project.

Due to the proximity to the regional flood conveyance system, detention would be detrimental, and the project will drain directly to this system. The proposed storm drains are sufficient to serve the project and upstream flows that cross the site. See Finding 5f below for a narrative on FEMA.

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.*

The applicant recorded a reversion to acreage combining the site into one 23.95 acre parcel, however a new parcel number has not yet been assigned. The subject site is currently vacant and is split zoned MFA and SF6. Based on ± 5 acres within MFA and 18.95 acres within SF6 zoning districts, the maximum allowable density for the site could be 331 units and has proposed 306 apartment units.

The proposed site design and architectural standards comply with the multifamily standards contained in Chapter 2 of the SPA Handbook. Where standards are not specified, the project complies with CCMC. Multifamily development is subject to CCDS 1.17 requires the following:

The following standards are intended to establish minimum standards for residential development within the Multi-Family Apartment ("MFA") zoning district.

1. Maximum permitted density:
 - a. For one-bedroom or studio units, one (1) unit per one thousand two hundred (1,200) square feet of area.
 - b. For two (2) or more bedroom units, one (1) unit per one thousand five hundred (1,500) square feet of area.

Staff Response: The proposal includes 93 one bedroom units, 168 two bedroom units, and 45 three bedroom units. 111,600 square feet is required for the one bedroom units and 319,500 square feet of land is required for the 2 and 3 bedroom units. Based on this standard, the subject site must have a minimum parcel size of 7.86 acres. The subject site is 23.95 acres in size and this standard is met by the request.

2. Maximum building height: Forty-five (45) feet.

Staff Response: Proposed buildings range from single story to three stories tall with a proposed maximum building peak height of 40 feet 10 inches. While the average building height as defined in CCMC was not provided, the Applicant has demonstrated that the buildings are below 45 feet tall and this standard is met.

3. Setbacks:

- a. Front yard: Ten (10) feet, plus an additional ten (10) feet for each story above two (2) stories; minimum driveway approach from property line to garage doors is twenty (20) feet.
- b. Side yard: Ten (10) feet for external project boundaries; minimum ten (10) feet between residential structures for internal setbacks. Where a side yard is adjacent to a single-family zoning district, an additional ten (10) feet is required for each story above one (1) story.
- c. Street side yard: Ten (10) feet, plus an additional five (5) feet for each story above two (2) stories; minimum driveway approach from property line to garage doors is twenty (20) feet.
- d. Rear yard: Twenty (20) feet. Where a rear yard is adjacent to a single-family zoning district, an additional ten (10) feet is required for each story above one (1) story.

Staff Response: The site is adjacent to single family zoning to the east and southeast, however the site is separated from single family residences by the Airport Road right-of-way. The Applicant has identified the east/west portion of North Lompa Lane as the front and Airport Road as the street side. The yards opposite the front is the rear and the yard opposite the street side is a side yard. Based on these standards, the following setbacks shall apply:

Building Type	Front	Side (west)	Street Side (east)	Rear
One Story	10 feet	10 feet	10 feet	20 feet
Two Stories	10 feet	10 feet	10 feet	20 feet
Three Stories	20 feet	10 feet	15 feet	20 feet

The Applicant has proposed minimum front setbacks from apartment buildings of 20 feet, side setbacks of 19 feet, rear 175 to the south and 35 feet to the north, and street side setbacks of 55 feet or greater. Carports and garages will need to meet the minimum setbacks for a single story structure. The Applicant has noted that the location of garages and carports will meet CCMC at the time of building permit. The proposal represents compliance with this standard.

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

Staff Response: Per CCDS Division 2, the Applicant must provide two parking spaces per dwelling unit plus guest parking at a rate of one space for every two units. The applicant is required to provide 765 parking spaces and has proposed 766 spaces. Parking is provided by a combination of garage buildings, carports and outdoor parking lot spaces. Since the garage spaces are provided to meet Code, a condition is recommended to require the applicant to provide notice to residents that the garage must not be used for storage and is required for vehicle parking use only.

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

Staff Response: In order for the project to comply with the multifamily open space standards, at least 1.76 acres of the site is required to be open space that has minimum dimensions as listed in item "a." above. Excluding required landscape area intended to comply with the minimum landscape requirements, the Applicant is proposing approximately 6.53 acres of open space within the site.

The project includes several resident amenity areas including outdoor spaces with a variety of options for recreation and four connections to the existing multi-use path system located to the west and south of the subject site. The Applicant has provided a Park/Amenity Concept Plan which identifies several areas that will be reserved for public use which are adjacent to the multi-use pathway connections. While there is not excess parking provided for public use, the Applicant has strategically located parking areas within proximity to the multi-use connections. It is worth noting that CCMC parking standards exceed the Institute of Transportation Engineers (ITE) recommendations for multifamily residential development so it is anticipated that while not dedicated for public use, there will be available parking near the multi-use pathway connections.

The site exceeds the multifamily open space requirements, and the standard has been met.

6. Landscaping. Landscaping shall comply with the Development Standards Division 3, Landscaping.

Staff Response: The Applicant has noted that the project meets the minimum 1.74 acres of landscape area. Between landscape area and open space, the applicant has proposed ±8.26 acres of the site to be open space and landscaped area. The Applicant complies with the landscape standards for multifamily development.

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

A portion of the site is zoned MFA, multifamily residential development was anticipated within the SPA on the east side of I-580, and the site will serve as a transition parcel between the freeway and single-family development. The site has been designed to minimize the visual impacts of the development on existing adjacent single-family residences with building setbacks from Airport

Road and building placement in a manner that reduces the mass and scale as viewed from adjacent properties. The use is appropriate at the location. As conditioned, the proposed development will not be detrimental to public health, safety, convenience, and welfare.

7. *Will not result in material damage or prejudice to other property in the vicinity.*

The proposed project will not result in material damage to other property in the vicinity. Conditions are recommended to ensure that the proposed development will not result in material damage or prejudice to other properties in the vicinity.

Attachments:

Application LU-2022-0434