

Reno City Planning Commission



MINUTES

Wednesday ~ August 15, 2007 ~ 6:00 p.m.
Reno City Hall – City Council Chambers
One East First Street, Reno, Nevada

MEMBERS

Darrin Georgeson, Chair
James Newberg, Vice-chair
Todd Brabbin
Doug Coffman
Elizabeth Ford
Lisa Foster
Dennis Romeo

I. ROLL CALL

Chair Georgeson called the meeting to order at 6:00 p.m. A quorum was established.

PRESENT: Todd Brabbin, Doug Coffman, Elizabeth Ford, Lisa Foster, Darrin Georgeson, James Newberg, and Dennis Romeo.

ABSENT: None.

Marilyn Craig – Deputy City Attorney, was also present.

II. APPROVAL OF MINUTES OF JULY 18, 2007

It was moved by Commissioner Newberg, seconded by Commissioner Brabbin, to approve the July 18, 2007, minutes, as submitted.

III. PUBLIC COMMENT *

John Hester – Community Development Director, announced that Claudia Hanson had been selected as the Deputy Director of Community Development.

IV. ELECTION OF A NEW PLANNING COMMISSION CHAIR AND VICE CHAIR

Commissioner Newberg nominated Darrin Georgeson to serve as Chair. The nomination was seconded by cm Commissioner Romeo. The motion carried unanimously.

Commissioner Romeo nominated James Newberg as Vice-chair. Commissioner Ford seconded the nomination. The motion carried unanimously.

V. APPOINTMENT OF PLANNING COMMISSIONER TO 2040 STEERING COMMITTEE

Patrice Echola – RTC (Regional Transportation Committee), outlined the RTC's request to appoint a member of the Reno City Planning Commission to serve on the 2040 RTP (Regional Transportation Plan) Steering Committee that will meet twice monthly to update the RTP. Once a draft RTP is developed the plan is presented to the RTC Board and then the three local jurisdictions. Ms. Echola noted that there is significant public participation in the process and that informational packets are somewhat smaller than Planning Commission packets.

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Commissioner Newberg stated he would volunteer to serve as an alternate.

Ms. Echola explained that there are 37 voting members, stakeholders and others involved in the process.

Commissioner Brabbin commented that while he believes the RTP is vital the draft will come back to the Planning Commission and would be a stretch of resources and time to serve on this particular Steering Committee. Mr. Brabbin suggested the appointment of a liaison to provide periodic updates.

Chair Georgeson noted that it appears there was little interest or time for Reno Planning Commission members to participate and that the number of voting members diminishes each members input.

David Jickling – RTC Planning Director, commented that the draft plan has to be adopted by the three local jurisdictions as well as a Finding of Conformance with the Truckee Meadows Regional Plan. However, the draft plan might not be brought to the local Planning Commission's for review. Mr. Jickling summarized the federal requirements and emphasized the RTC's desire to have each of the local jurisdictions and Planning Commissions active participation in the planning process. Mr. Jickling encouraged the Planning Commission to appoint a representative to the Steering Committee as there will be significant projects affecting the City of Reno. Mr. Jickling noted that City of Sparks and Washoe County Planning Commissions have also been invited to participate as well as NAB (Neighborhood Advisory Board) and CAB (Citizen Advisory Board).

Chair Georgeson stated he was trying to clear his Thursday evening calendar to participate in the process but could not make that commitment at tonight's (August 15, 2007) meeting. Chair Georgeson stated he would be able to provide a definitive answer at the September 5, 2007, meeting.

VI. UNFINISHED BUSINESS/PUBLIC HEARINGS

LDC07-00375 (Damonte Ranch Village 10A) – *This is a request for a tentative map to develop a 52 lot single family residential subdivision on a ±19.02 acre site located on the east side of Rio Wrangler Parkway, ±2,500 feet (±.47 miles) north of its intersection with Steamboat Parkway in the SPD (Specific Plan District) zone.*

Claudia Hanson – Deputy Director, commented that the matter had been continued due to access issues and suggested that the public hearing go forward and then determine whether the matter should be continued to the September 19, 2007, meeting.

Chair Georgeson opened the public hearing.

Gabriel Wittler – Odyssey Engineering, representing Toll Brothers, concurred with the staff report and conditions noting that the applicant continues to work with and prefers to resolve access and utility issues that bisect the subject site before coming to the Planning Commission for approval.

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Fred Turnier – Sierra Land Solution, representing Sunny Hills Ranchos, concurred with Mr. Wittler and the September 19, 2007 date.

Chair Georgeson closed the public hearing.

It was moved by Commissioner Newberg, seconded by Commissioner Foster, to continue Case No. LDC-07-00375 (Damonte Ranch Village 10A until September 19, 2007. The motion carried unanimously.

AT-03-07 (Airport Critical Area Overlay) – *This is a request for a zoning code text amendment to modify Title 18, “Annexation and Land Development”, Section 18.08.402 “Airport Safety General Overlay Districts” prohibited uses, boundaries and applicability, together with other matters properly relating thereto.*

Commissioner Newberg recused.

Tara Moran – Assistant Planner, commented that staff continues to work with the Reno Tahoe Airport Authority, to resolve issues identified by the Planning Commission. However, staff is asking that the Planning Commission open the public hearing to take public comment and then continue the matter until either September 5 or 19, 2007.

Chair Georgeson opened the public hearing.

Commissioners Ford, Foster and Romeo disclosed discussions with property owners.

John Frankovich commented that he concurred with the continuance and asked that staff and RTAA meet with property owners to discuss recommendations before coming to the Planning Commission.

Bud Flochinni commented that in reading the documentation some of the definitions are difficult to find and/or understand. Of some concern is the 6-month time limit on grandfathering uses and if there is an opinion from the City Attorney’s Office. By limiting uses allowed on some properties devalues the property and is, in his opinion, a taking of property.

Dave Henselman recalled previous testimony on the matter and his objection to ordinance and its effect on long standing uses and the unclear calculation and what he considers to be an illegal taking.

Justin ? – representing Riberio Properties, noted the adverse effects on Riberio Properties in the surrounding zones.

Elaine Cuagana – representing Conely Business Park, outlined concerns with the existing ordinance and the definition of “construct” in the City’s zoning code and the ultimate loss of property rights. Ms. Cuagana encouraged the Planning Commission to refine the ordinance to preclude adverse

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effects on existing development. Ms. Cuagana outlined research of Critical overlay Zones in other jurisdictions and asked for specific modifications to the language.

Tillio Lagata recalled previous comments and drew attention to correspondence from Krys Bart RTAA as well as FAA (Federal Aviation Authority) Critical Overlay Zone requirements, which is significantly smaller than being proposed by the RTAA.

Nick Loder commented that he support the continuance to allow additional review time since he only recently learned of the proposal. Additionally, Mr. Loder believes the 6-month timeline for grandfathered uses is too limited and that there is a taking of property rights associated with the proposal.

Chair Georgeson closed the public hearing.

Commissioner Romeo asked for a legal opinion from the City Attorney's Office as to what the proposal entails.

Marilyn Craig – Deputy City Attorney, commented that she would be unsure as to what information she could provide and that she would not be present at the September 19, 2007, meeting.

Commissioner Romeo suggested a panel of property owner meet with the RTAA or perhaps delay further action for up to 60-days to allow property owners to meet with the RTAA.

Deputy Directory Claudia Hanson commented that the matter could be delayed and renoticed.

Ms. Moran noted that the non-conforming portions of code applied to all non-conforming use not just the Airport Critical Zone for abandoned land use.

Ms. Hanson noted that the property owner could apply for an extension with documentation of continued and ongoing efforts to lease the property under the former use.

There was some discussion about the grandfather timeline and perhaps an extended length of time for this particular area. It was noted that while a public meeting is not required for text amendments, such a meeting could be scheduled.

Dean Schultz – RTAA Senior Director of Planning and Engineering, explained that the FAA zone is half the size being requested to protect people and property on the ground and has been in place for many years. Mr. Schulze outlined the underlying reason for the expanded area based on studies in other areas.

Chair Georgeson asked that a definitive answer be brought forward on the FAA Critical Overlay Zone requirements.

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Mr. Schultz noted that the single zone requested by the RTAA encompasses the three zones used by other airports. Mr. Schultz explained that the north south runways are used more often than the east west runways with identical protection areas for each end of the runways. The east-west runway is typically used by smaller aircraft than the north-south runways.

Discussion then noted the nearly doubling in size of the overlay area compared to other jurisdictions. While there is no desire to approve an ordinance that increases the potential of danger to the public, a more definitive reason for the request needs to be brought forward to reduce the effects on surrounding property owners. Other discussion noted that the request still appears to be somewhat premature. It is recommended that planning and RTAA staff meet with property owners to resolve concerns and issues.

Commissioner Romeo asked where and how the request originated and the doubling of size.

Ms. Moran explained that the Overlay District is not doubling in size, as it remains at its existing area that was established in 2000. However, the boundary is being realigned without any change in the actual size.

Chair Georgeson clarified that his concern is the doubling of FAA requirements.

Commissioner Romeo commented that it appears the Overlay District is already larger than it needs to be based on FAA regulations.

Ms. Hanson suggested a 60-day continuance and renoticing of the public hearing.

It was moved by Commissioner Romeo, seconded by Commissioner Foster, to continue AT-03-07 (Airport Critical Area Overlay) indefinitely. The motion carried: Commissioners Brabbin, Coffman, Ford, Foster, Romeo and Chair Georgeson assenting; and Commissioner Newberg recused.

Commissioner Newberg rejoined the meeting.

VII. PUBLIC HEARINGS

LDC07-00392 (Panorama Village) – *This is a request for: (1) a tentative map to construct a 207 unit attached townhouse subdivision; and (2) a special use permit to allow for: (a) hillside development, (b) development of 100 or more units, (c) fills of 10 feet or more and cuts of 20 feet or more, and (d) private streets. The ±14.42 acre site is located on the north side of Scottsdale Road, ±1,350 feet west of its intersection with Clear Acre Lane in the MF30 (Multifamily - 30 du/ac) zone.*

Postponed.

LDC07-00412 (City of Reno Baseball Stadium – South) – *This is a request for a special use permit to construct a baseball stadium with ±6,500 fixed seats plus lawn seating for a total seating capacity of ±10,000 in the MU/DRRC (Mixed Use/Downtown Reno Regional Center) zone. The*

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±10.0 acre site is located south of the railroad tracks, east of Evans Avenue, west of the Truckee River, and north of East 2nd Street/Kuenzli Street.

Deputy Director Claudia Hanson provided an overview of the request noting that the request meets nearly all of the Master Plan goals and policies within the Downtown Reno Regional Center Plan. Ms. Hanson noted that the building articulation would be refined as the project moves forward.

Chair Georgeson opened the public hearing.

John Krmptic – KLS Planning Group, explained that the two proposals were forwarded for consideration due to SB302 that assigns \pm \$24-million toward the construction of the stadium if designed and building permits issued by October 1, 2007. Mr. Krmptic noted that the applicant is willing to add a Condition to sunset one of the SUP (special use permits) requests once a site is finalized, if appropriate. Mr. Krmptic noted that the stadium will range in price up to \$40-million by the SK group.

Commissioners Brabbin, Coffman, Ford, Foster, Newberg, Romeo and Chair Georgeson disclosed discussions with the applicant and/or applicant's representative.

Dave Jickling – RTC (Regional Transportation Commission), expressed the RTC's support for the project and that Conditions of Approval appear to address RTC public transit access concerns.

The following individual submitted statement cards in support of the proposal.

Jeff Siri – Club Cal Neva.

During the discussion it was explained that there were several parking garages in the downtown area that could accommodate a \pm 10,000 seat stadium as well as surface parking. It was pointed out that the downtown site would provide pedestrian access from local hotels as well as adjacency to the RTC public transit station.

Paul Solaegui – Solaegui Engineering, noted that the initial study indicated approximately 1,000 parking spaces in the immediate area. With a game time of 7:00 p.m., local commuter traffic will be reduced with individuals using public transit or walking from the downtown area. Mr. Solaegui noted that initial studies indicated a workforce of up to 283 individuals. However, that number is subject to change as the plans are refined.

Discussion then focused on public transit access to the facility. It was explained that the RTC is interested in providing access and that successful stadiums employ a variety of means to entice the use of public transit. Discussion then noted that each site has to be treated as the only venue.

Marilyn Craig – Deputy City Attorney, explained that the Planning Commission could approve one, both or neither of the sites.

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Mark Lewis – Redevelopment Administrator, noted that urban baseball stadiums take advantage of existing infrastructure such as existing parking structures and mass transit. Additionally, the Redevelopment Agency Board/City Council directed Redevelopment staff to move forward with both applications.

Ms. Craig explained that the City Attorney's Office would not recommend a sunset clause as a Condition of Approval for either site. Ms. Craig noted that it might be unusual to construct something other than a baseball stadium if approved.

Ms. Hanson noted that all conditions must be met in order to move forward and that remaining design and other issues will be addressed as the process moves forward. Ms. Hanson further explained that the condition is in place to orient the facility to the Truckee River.

Discussion then focused on the access from various points to the site and determining the finished design and floor elevations. It was pointed out that the downtown location is a relatively flat site and that the rendering includes at grade access with limited ramping needs. Discussion then noted that the venue could be used for other events during off season.

Commissioner Brabbin stated he could make the applicable Findings and noted his support for the pedestrian access, park-like setting and river access as well an economic boost to the downtown core.

It was moved by Commissioner Newberg, seconded by Commissioner Romeo, to approve a special use permit to construct a baseball stadium with ±6,500 fixed seats plus lawn seating for a total seating capacity of ±10,000 in the MU/DRRC (Mixed Use/Downtown Reno Regional Center) zone, in Case No. LDC07-00412 (City of Reno Baseball Stadium – South), subject to conditions. Commissioner Newberg stated he could make the applicable Findings. The motion carried unanimously.

LDC07-00413 (City of Reno Baseball Stadium – East) – *This is a request for a special use permit to construct a baseball stadium with ±6,500 fixed seats plus lawn seating for a total seating capacity of ±10,000 in the MU/RLM (Mixed Use/River Landing at Mill) zone. The ±10.0 acre site is located east of Highway 395, south of East Second Street, west of the Truckee River, and north of Mill Street.*

Commissioners Brabbin, Coffman, Ford, Foster, Newberg, Romeo and Chair Georgeson disclosed discussions with the applicant and/or applicant's representative.

Deputy Director Claudia Hanson summarized the application noting the similarities of the applications and that this one also supports the goals and policies of the Mill Street TOD (Transit Oriented Development) Corridor Plan. Ms. Hanson outlined the Conditions of approval and explained that the design may change as the process moves forward.

Chair Georgeson opened the public hearing.

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Jon Krmpotic – KLS Planning Group, commented that this has been an amazing process and his appreciation to planning staff for their assistance in expediting the process.

Leto Padua expressed his opposition to the proposed project.

Ms. Hanson noted that the speaker lived adjacent to the previous application.

Marilyn Craig – Deputy City Attorney noted that the Planning Commission could reopen the previous public hearing.

Chair Georgeson reopened the flowing case:

LDC07-00412 (City of Reno Baseball Stadium – South) – *This is a request for a special use permit to construct a baseball stadium with ±6,500 fixed seats plus lawn seating for a total seating capacity of ±10,000 in the MU/DRRC (Mixed Use/Downtown Reno Regional Center) zone. The ±10.0 acre site is located south of the railroad tracks, east of Evans Avenue, west of the Truckee River, and north of East 2nd Street/Kuenzli Street.*

Mark Lewis – Redevelopment Administrator, stated that SKS had purchased the subject site and was developing a transition program for residents of the apartment building.

Chair Georgeson closed the public hearing.

It was moved by Commissioner Newberg, seconded by Commissioner Brabbin, to approve a special use permit to construct a baseball stadium with ±6,500 fixed seats plus lawn seating for a total seating capacity of ±10,000 in the MU/DRRC (Mixed Use/Downtown Reno Regional Center) zone, in Case No. LDC07-00412 (City of Reno Baseball Stadium – South), subject to conditions. Commissioner Newberg stated he could make the applicable Findings. The motion carried unanimously.

Chair Georgeson read the appeal process into the record.

Chair Georgeson reopened:

LDC07-00413 (City of Reno Baseball Stadium – East) – *This is a request for a special use permit to construct a baseball stadium with ±6,500 fixed seats plus lawn seating for a total seating capacity of ±10,000 in the MU/RLM (Mixed Use/River Landing at Mill) zone. The ±10.0 acre site is located east of Highway 395, south of East Second Street, west of the Truckee River, and north of Mill Street.*

Commissioner Brabbin stated he could not support this proposal as it did not have a park like setting, orientation to the Truckee River and other issues. Commissioner Brabbin stated he could not make Finding A and D.

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Commissioner Romeo stated he could support this given the proximity of the freeway system and the location.

Commissioner Newberg stated he could make the Findings to support the proposal.

Commissioner Brabbin summarized his concerns about fast tracking the proposal and the need to support businesses in downtown core, which he believes is a better site.

Commissioner Ford expressed her support for the proposal and drew attention to several goals and objectives that the proposal will meet.

Chair Georgeson reopened the public hearing.

Daryl Schliem– representing Grand Sierra Resort, expressed support for both of the proposed sites. Mr. Schliem noted the need to expedite the process to retain the \$24-million in state funding. The water park is expected to move forward in early 2008.

Chair Georgeson closed the public hearing.

Chair Georgeson expressed his support for both sites and stated he could make the applicable Findings.

Commissioner Foster concurred with Chair Georgeson and noted the pros and cons associated with each of the sites.

Commissioner Coffman noted his support for the proposed site and stated he could make the applicable Findings.

It was moved by Commissioner Romeo, seconded by Commissioner Newberg, to approve a special use permit to construct a baseball stadium with ±6,500 fixed seats plus lawn seating for a total seating capacity of ±10,000 in the MU/RLM (Mixed Use/River Landing at Mill) zone in Case No. LDC07-00413 (City of Reno Baseball Stadium – East), subject to conditions. The motion carried: Commissioners Coffman, Ford, Foster, Newberg, Romeo and Chair Georgeson assenting; and Commissioner Brabbin dissenting.

Mr. Lewis expressed his appreciation to the Planning Commission, planning staff and others for their assistance in moving the proposals forward.

Chair Georgeson read the appeal process.

The meeting recessed at approximately 7:55 p.m. and reconvened at 8:20 p.m. A quorum was present.

LDC08-00022 (Belford Estates) – *This is a request for a variance to reduce: (a) the front yard setback from 30 feet to 10 feet; and (b) reduce the rear yard setback from 30 feet to 17.5 feet. The*

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±.855 acre site is located ±230 feet south of Belford Road, ±650 feet west of its intersection with Sharon Way in the SF15 (Single Family Residential – 15,000 sq. ft) zone.

Chair Georgeson recused himself and turned the meeting gavel to Vice-chair Newberg.

Vince Angle – Associate Planner, provided an overview of the request and pointed out the location of the flood plain and other site constraints. Mr. Angle explained how, in staff's opinion, the applicable Findings to grant the variance could be met. Staff recommends approval, subject to conditions.

Vice-chair Newberg opened the public hearing.

Rob Fitzgerald – representing the property owner, explained that it had been anticipated that the front and rear yards would be reversed from staff's interpretation.

Vice-chair Newberg closed the public hearing.

Lori Wray commented that she supported the proposal as presented noting that she believes the developer has done a very good job thus far.

Carol Reno outlined her questions associated with the proposal such as setback from her property line and size and location of the garage. Ms. Reno stated that so long as the structure is located 30-feet from her property line she has no objection.

Tony Rego noted his concerns about the setbacks and potential discrepancy on the setbacks and the need to define what is a front, rear and side yard.

The following individuals submitted statement cards in favor:

Aline Barker, 2665 Outlook Drive, Reno.

Charles Reno – representing his parents, 2600 Outlook Drive, Reno.

Vice-chair Newberg closed the public hearing.

During the discussion Mr. Fitzgerald pointed out the location of the house, garage and setbacks. Other discussion focused on the definition of side, front and rear yard setbacks. Access to the subject parcel was pointed out on the site plan. Discussion then explained the site configuration of the site.

It was moved by Commissioner Romeo, seconded by Commissioner Brabbin, to approve a variance to reduce: (a) the front yard setback from 30 feet to 10 feet; and (b) reduce the rear yard setback from 30 feet to 17.5 feet, in Case No. LDC08-00022 (Belford Estates), subject to conditions. Commissioner Romeo stated he could make the applicable Findings. The motion carried: Commissioners Brabbin, Coffman, Ford, Foster, Romeo and Vice-chair Newberg assenting; and Chair Georgeson recused.

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Vice-chair Newberg read the appeal process into the record.

Chair Georgeson rejoined the meeting.

LDC07-00408 (Red Rock Food Mart) – *This is a request for special use permit to: (1) establish a ±1,320 square foot convenience store use in the NC (Neighborhood Commercial) zone within an existing commercial center; and (2) allow the store to operate between the hours of 11:00 p.m. and 6:00 a.m. (24 hours). The ±2.1 acre site is located on the southeast corner of Red Rock Boulevard and Moya Boulevard.*

Beverly Straub – Assistant Planner, summarized the special use permit application. Ms. Straub recalled a 2005 approval for the center. The applicant wishes to open a convenience store in one of the remaining vacant spaces. Ms. Straub added Condition 3 “The convenience store shall remain open no later than 12:00 midnight seven days per week.” Ms. Straub noted that one letter of opposition has been received from an adjacent property owner. Staff recommends approval, subject to amended conditions.

Chair Georgeson opened the public hearing.

Joginder Singh the applicant concurred with the staff report and amended conditions.

Chair Georgeson suggested adding additional language to added condition to limit opening to 6:00 a.m.

Discussion then noted the location of the entryway to the store, which faces the residential development. Other discussion focused on store illumination. It was suggested that conditions could be modified to reduce lighting that may affect adjacent residential development. It was suggested that some window tinting or additional landscaping might be appropriate to reduce glare and buffer adjacent residential development without affecting the store owner’s safety. As the discussion continued, it was pointed out that the tenant could, by right, operate until 11:00 p.m. without an SUP (special use permit). It was pointed out that the SUP is only for this particular convenience store. However, another convenience operator could “piggy-back” on the SUP whereas a bar use would require a separate SUP.

Commissioner Newberg stated he could make the applicable Findings to support the proposal.

Chair Georgeson concurred.

Commissioner Brabbin commented that while he supports the convenience store he is somewhat concerned about the additional hour of operation.

There was significant discussion about adding Condition 4 to address light intrusion into neighbors’ back yard. As the discussion continued, parking lot lighting locations were pointed out on the site

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map. Additional discussion noted that existing fencing extends the length of the subject site. Other discussion suggested the limitation of additional lighting in the windows.

It was moved by Commissioner Brabbin, seconded by Commissioner Ford, to approve special use permit to: (1) establish a ±1,320 square foot convenience store use in the NC (Neighborhood Commercial) zone within an existing commercial center; and (2) allow the store to operate between the hours of 11:00 p.m. and 6:00 a.m. (24 hours) in Case No. LDC07-00408 (Red Rock Food Mart), subject to amended conditions. Commissioner Brabbin stated he could make the applicable Findings and added the following conditions: Condition 3 “The convenience store shall operate between the hours of 6:00 a.m. and 12:00 a.m. (midnight).”; and Condition 4 “Any window area of the convenience store (inside or out) facing the residentially zoned property shall not include illuminated features.” The motion carried unanimously.

LDC07-00406 (Barker Coleman/Moya Industrial) – *This is a request for a special use permit to construct three concrete tilt-up buildings totaling 1,386,000 square feet adjacent to residentially zoned property. The ±118 acre site is a portion of a ±228 acre parcel located ±400 feet northwest of the intersection of Moya Boulevard and Lear Boulevard in the Industrial (I), Industrial Business (IB) and Open Space (OS) zones.*

Vince Angle – Associate Planner, provided an overview of the application. Mr. Angle drew attention to the configuration of the 118-acre site and buffering for residential zoned property and summarized the Conditions of Approval. The proposed zone change from IB (Industrial Business) to I (Industrial) includes a trail around the playa. Staff recommends approval of the special use permit, subject to conditions.

Chair Georgeson opened the public hearing.

Scott Beggs – Dermondy Partners (DP Partners) expressed his appreciation to planning staff and suggested a modification to Condition 21 to read “Prior to the issuance of any building permit, the applicant shall submit landscape plans indicating a trail in conformance with the city of Reno Open Space and Greenway Plan connecting to Moya Boulevard and to the southwest property line of the applicant’s parcel at the west end of the playa for the connection of the future trail at Silver Lake. If the project is constructed in phases, in a pertinent and proportionate section of the trail shall be constructed prior to each certificate of occupancy. The entire trail must be constructed prior to the final Certificate of Occupancy.”

Keith Lockard – Fehr and Peers, suggested that that Condition 10 be tied to Certificate of Occupancy rather than building permit.

Mr. Beggs suggested that the staff report under Urban Design page 5 be clarified of the five foot parapet description.

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Doug Fisher commented that while he has no major problem with the development he has some concerns about where the warehouses would be located. Mr. Fisher recalled previous winters that resulted in water levels nearly reaching the location of the proposed warehouses.

Chair Georgeson closed the public hearing.

Marilyn Craig – Deputy City Attorney, noted her concern about the fourth paragraph concerning the zone change and suggested a modification that warehouse distribution not be allowed until a zone change from IB (Industrial Business) to I (Industrial) is granted in this case. Ms. Craig commented that it would be better to consider the zone change before approving the SUP (special use permit).

Claudia Hanson – Deputy Director, noted that the SUP had been applied for before the zone change was submitted. Ms. Hanson noted that warehouse uses would not be allowed in the IB zone.

Commissioner Romeo stated he would prefer to address the zone change before the SUP.

Mr. Beggs noted that there are three buildings proposed with one in the I zoning designation with subsequent development coming back for a zone change on October 3, 2007.

Chair Georgeson noted that the Planning Commission preferred not to take action until a whole project is presented, including any zone change which uses a different set of review criteria.

Mr. Beggs introduced Patrick Rucker.

Mr. Rucker explained that the second two building could be changed if the zone change is not approved. The intent is to start the first building with additional flexibility if the IB is changed to I.

Ms. Hanson noted that the zone change would most likely be scheduled the first meeting in October (October 3, 2007).

There was discussion about the residential development in the area. It was noted that the applicant intends to begin construction of building 3. Other discussion noted that the parcel has split zoning.

Commissioners Brabbin, Newberg and Chair Georgeson expressed concern about approving a development without the pertinent zoning. It was suggested that a delay in this particular hearing would allow the applicant an opportunity to take the matter to the North Valleys NAB (Neighborhood Advisory Board) as well as the North Valleys CAB (Citizens Advisory Board).

Mr. Beggs noted that building 1 and 2 could not be developed without the zone change and that other uses would be considered if a zone change is not approved. Mr. Beggs noted that winter construction conditions were part of the underlying reason for the order of submission.

Mr. Angle drew attention to the size of the parcel and the code requirements to address residential adjacency.

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It was moved by Commissioner Brabbin, seconded by Commissioner Ford, to continue Case No. Case No. LDC07-00406 (Barker Coleman/Moya Industrial) until such time as the zone change and special use permit can be heard simultaneously. The motion carried unanimously.

LDC07-00407 (Wes Construction Facility) – *This is a request for a special use permit for: 1) hillside development; 2) cuts of 20 feet or more and fills of 10 feet or more; 3) nonresidential development adjacent to residentially zoned property; 4) deviations from the MU/DRC (Mixed Use/Dandini Regional Center) design standards including: <.75 FAR, increased parking, site layout (75 percent of the street frontage shall be building); and 5) twenty-four (24) hour operation. The ±30.0 acre site is located along the west side of U.S. 395, ±1,780 feet south of the Parr Boulevard and Bennie Lane intersection in the zoned MU/DRC (Mixed Use/Dandini Regional Center). The site's access will be from Bennie Lane.*

Vince Angle – Associate Planner, summarized the SUP (special use permit) request drawing attention to the original Master Plan designation of IC (Industrial Commercial) and subsequent rezoning to MU (Mixed Use) upon adoption of the Dandini Regional Center Plan. Mr. Angle distributed a memorandum (copy on file) concerning stockpiling of aggregate materials on site. Staff recommends approval of the request, subject to conditions.

Chair Georgeson opened the public hearing.

Gabriel Wittler – Odyssey Engineering, commended staff for their assistance on the process and concurred with the staff report and conditions. Of some concern is the outdoor storage of aggregate materials, which are used for temporary emergency uses for the City. TMWA (Truckee Meadows Water Authority) and others. Mr. Wittler provided a brief overview of the property's development history.

Chair Georgeson noted that the Planning Commission would not be able to modify code at tonight's meeting to allow such outdoor storage and suggested that the matter be brought to planning staff for future consideration.

Brian Barger – WES Construction, 839 Silver Strike Court, Reno, submitted a statement card in favor.

Chair Georgeson closed the public hearing.

It was moved by Commissioner Newberg, seconded by Commissioner Ford, to approve a special use permit for: 1) hillside development; 2) cuts of 20 feet or more and fills of 10 feet or more; 3) nonresidential development adjacent to residentially zoned property; 4) deviations from the MU/DRC (Mixed Use/Dandini Regional Center) design standards including: <.75 FAR, increased parking, site layout (75 percent of the street frontage shall be building); and 5) twenty-four (24) hour operation in Case No. LDC07-00407 (Wes Construction

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Facility), subject to conditions. Commissioner Newberg stated he could make the applicable Findings.

Deputy Director Hanson commented that the motion did not need to include the modification to the staff report as it pertains to aggregate storage as it was placed on the record.

The motion carried unanimously.

AT-16-07 (Crematoriums) – *This is a request for a zoning code text amendment to modify Title 18, "Annexation and Land Development", Section 18.08.201(d), "Summary Use Table for Nonresidential and Mixed Use Base Zone Districts", Section 18.08.202, "Additional Regulations for Principal Uses", Section 18.08.405, "Regional Center and Corridor Planning Area Overlay Districts", and Section 18.24.203, "Definitions of Words, Terms, and Phrases" regarding the land use "Crematorium", together with other matters properly relating thereto.*

Tara Moran – Assistant Planner, provided an overview of the text amendment. Drawing attention to the Overlay Districts in which crematoriums are allowed. Staff believes, based on their research, that the SUP (special use permit) process is appropriate. Staff recommends approval of the text amendment by ordinance.

Chair Georgeson opened the public hearing.

Drew Lawton – representing Sierra Memorial Gardens, read a prepared statement into the record (copy on file).

John Lawton – representing Sierra Memorial Gardens, commended staff for their assistance and noted that the North Valleys area does not have these types of facilities and that the area is centrally located.

The following individuals submitted statement cards in favor of the proposal:

Greg Hughes, 401 Court Street, Reno.
Candace Powell, 401 Court Street, Reno.
Tom Powell, 8496 San Mateo, Reno.
Tonya Powell, 401 Court Street, Reno.
Margie Merrill, 1795 Severn Drive, Reno.
Lindsey Pisani – no address provided.
Brandy Ballingham, 111 Hummer, Reno.
Karen Critchfield, 430 Ember Court, Sparks.
Virginia Van Horn, 2470 Ivory Ann Drive, Sparks.
Maryjane Giraud, 614 John Fremont Drive, Reno.
J. Mitch McMullen, 3700 Ranch Crest Drive, Reno.
Diana Provost, 106 River Front Drive, Reno.
Susan Martin, 2136 Tanager Court, Sparks.
Steve Howe, 5400 Quaking Aspen Road, Reno.

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Marshall Kennedy, 1225 N. Wells Avenue, Reno.
Adam Howe, 1155 Pine Ridge Drive, Reno.
Becky Del Peloso, 360 East Gault Way, Sparks.
Thomas J. Dose, 1350 Stardust Street - Suite A, Reno.
Tim Koewler, 2380 Fireside Circle, Reno.
Lois Young, 3815 Villa Marbella Circle, Reno.
Greg and Gennel Pisani, 4262 Dant Boulevard, Reno.
Larry Johnston, 3565 San Mateo Avenue, Reno.
Linda Russell, 72 Reservation Road, Reno.
Mark Bernoff, 142 -1/2 Bell Street, Reno.
Cory Fairchild, 542 Grand Canyon, Reno.
Bridgette Budre, 35 Caterpillar Court, Sparks.
David Zeitler, 3940 Bobolink Circle, Reno.
Victor Drakulich, 845 Brown Street, Reno.
Shelley Yoshiwara, 1121 Sageberry Court, Reno.
Brett and April Warne, 575 Harbin Lane, Reno.
Chair Georgeson closed the public hearing.

During the discussion the definition of a mausoleum was explained. Other discussion noted certain modifications to correct language that commingled certain uses (mausoleum/crematorium) inappropriately (which is a land use in code as termed 'cemetery/mausoleum'). Discussion then noted that the traffic, light and noise associated with a crematorium would not require an SUP. As the discussion continued, it was explained that the SUP would address residential adjacency if applicable in the overlay. Discussion then noted that cemeteries are typically large tracts of land that may be located adjacent to residentially zoned property.

Commissioner Romeo noted his concern that perhaps there should be some specific residential adjacency set-back requirement for this particular type of 24-hour operation.

There was significant discussion about the establishment of a standard that would protect existing residential neighborhoods as well as the affected business. It was pointed out that there has been no adverse publicity associated with a crematorium. Other discussion noted that the regulation includes requirements to screen the use from surrounding property including the off-loading of the deceased in an enclosed area. Additionally, other sections of code address other issues and that Washoe County District Health Department requires annual inspections and permitting.

Charlene Albion – Washoe County District Health, noted that there are three permitted two at Mountainview Cemetery and one on Vine Street. As noted in the staff report unless there an operator error occurs there are no complaints from adjacent residents. Many of the facilities have been upgraded to more modern equipment that has significantly reduced potential operator errors such as odor emission, smoke or flare-out that occurs in rare instances.

It was moved by Commissioner Brabbin, seconded by Commissioner Coffman, to recommend that the Reno City Council adopt the text amendment in Case No. AT-16-07

* denotes NON action item

(Crematoriums), by ordinance. Commissioner Brabbin stated he could make the applicable Findings. The motion carried unanimously.

VIII. PLANNING COMMISSION'S LIAISON REPORT *

None.

IX. COMMISSIONER'S DIRECTIONS TO COMMUNICATE WITH OTHER PUBLIC ENTITIES REGARDING REQUESTS FOR ADDITIONAL INFORMATION AND COORDINATION

None.

X. STAFF ANNOUNCEMENTS * – 1. Report on status of Planning Division projects; 2. Announcement of upcoming training opportunities; and 3. Report on status of responses to staff direction received at previous meetings.

None.

XI. COMMISSIONER'S SUGGESTIONS FOR FUTURE AGENDA ITEMS *

Commissioner Romeo asked that something be done to address microphone and other technical equipment errors.

Louisa Elorreaga noted that the equipment problems would be corrected before the next meeting according to Rick Vandenberg.

XII. ADJOURNMENT

Chair Georgeson adjourned the meeting at 10:00 p.m.

AS APPROVED BY THE RENO CITY PLANNING COMMISSION IN SESSION ON SEPTEMBER 19, 2007.