

**PLANNING COMMISSION  
STAFF REPORT**

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**Date:** December 20, 2023

**To:** Reno City Planning Commission

**Subject:** Staff Report (For Possible Action): Case No. LDC24-00022 (Legacy Village Townhomes Map Extension) – A request has been made for a two-year time extension to record a subsequent final map on up to 96 remaining lots (set to expire on February 8, 2024) which was part of a previously approved residential tentative map (LDC21-00011 – Legacy Village Townhomes). The ±9.5-acre site is generally located on the west side of Lemmon Drive and southwest of the intersection of Bernoulli Street and Lemmon Drive. The project site is within the General Commercial (GC) zoning district and has a Master Plan land use designation of Suburban Mixed-Use (SMU).

**From:** Daniel Martoma, Associate Planner Specialist

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**Ward #:** 4

**Case No.:** LDC24-00022

**Applicant:** Ryan T. Sims/Axion Engineering

**APN:** 552-530-01

**Request:** **Tentative Map:** To allow for a two-year time extension for a previously approved residential tentative map subdivision (LDC21-00011 – Legacy Village Townhomes).

**Location:** Refer to Case Maps (**Exhibit A**)

**Proposed Motion:** Based upon compliance with NRS 278.360 (Requirements for presentation of final map or series of final maps: extension of time), I move to approve a two-year time extension on the Legacy Village Townhomes tentative map, subject to original conditions of approval.

**Background:** On October 7, 2020, the Planning Commission denied case LDC21-00011 (Legacy Village Townhomes), a tentative map to develop a 264-unit townhome residential subdivision. (**Exhibit B**) Following an appeal request by the applicant, the Reno City Council reversed the decision of the Planning Commission and approved the tentative map subject to the conditions in the associated special use permit approval. (**Exhibit C**) The first final map (TM5472) was

approved and recorded on February 8, 2022 for 168 residential units necessitating a subsequent final map to be recorded by February 8, 2024 per Nevada Revised Statutes (NRS). The applicant has cited economic and housing market constraints that have prevented construction on the approved 168 residential units from the first final map. Since a subsequent final map for the remaining 96 residential units has not been designed or prepared for submittal, the NRS requirement for a presentation within a two-year timeframe will not be met. Consequently, the applicant is requesting a tentative map extension for the project in accordance with the provisions of NRS 278.360, allowing development of the subject site to continue when economic and housing market conditions improve. **(Exhibits D and E)**

Based on NRS 278.360(1)(c), the Planning Commission may grant an extension of not more than two years for the presentation of any final map after the two-year period for presenting a successive final map has expired. Reno Municipal Code does not require any specific findings for granting a time extension. NRS 278.360(2) specifies no requirements other than those imposed on each of the final maps in the series may be placed on the map when an extension of time is granted unless the requirement is directly attributable to a change in applicable laws which affect the public health, safety, or welfare. Staff has reviewed the original conditions of approval and no additions and/or adjustments are necessary due to a change in applicable laws affecting public health, safety, or welfare.

***General Approval Criteria:*** The decision -making body shall review all development applications for compliance with the applicable general review criteria stated below.

- 1) Consistency with the Reno Master Plan: The proposed development shall be consistent with the Reno Master Plan. The decision-making authority:
  - a. Shall weigh competing plan goals, policies, and strategies; and
  - b. May approve and application that provides a public benefit even if the development is contrary to some of the foals, policies, or strategies in the Reno Master Plan.
- 2) Compliance with Title 18: The proposed development shall comply with all applicable standards in this Title, unless the standard is lawfully modified or varied. Compliance with these standards is applied at the level of detail required for the subject submittal.
- 3) Mitigates Traffic Impacts: The project mitigates traffic impacts based on applicable standards of the City of Reno and the Regional Transportation Commission.
- 4) Provides Safe Environment: The project provides a safe environment for pedestrians and people on bicycles.
- 5) Rational Phasing Plan. If the application involves phases, each phase of the proposed development contains all of the required streets, utilities, landscaping, open space, and other improvements that are required to serve or otherwise accompany the completed phases of the project and shall not depend on subsequent phases for those improvements.

***Tentative Map:*** Approval of tentative maps shall be subject to the approval criteria in Section 18.08.304(e), Approval Criteria Applicable to All Applications, and criteria set forth in NRS Section 278.349(3), as follows:

- a) Environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage disposal and, where applicable, individual systems for sewage disposal;
- b) The availability of water which meets applicable health standards and is sufficient in quantity for the reasonably foreseeable needs of the subdivision;
- c) The availability and accessibility of utilities;
- d) The availability and accessibility of public services such as schools, police protection, transportation, recreation and parks;
- e) Conformity with the zoning ordinances and master plan, except that if any existing zoning ordinance is inconsistent with the master plan, the zoning ordinance takes precedence;
- f) General conformity with the governing body's master plan of streets and highways;
- g) The effect of the proposed subdivision on existing public streets and the need for new streets or highways to serve the subdivision;
- h) Physical land characteristics such as floodplain, slope, soil;
- i) The recommendations and comments of those entities reviewing the tentative map pursuant to NRS 278.330 and 278.3485, inclusive;
- j) 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;
- k) The potential impacts to wildlife and wildlife habitat; and
- l) The submission by the subdivider of an affidavit stating that the subdivider will make provision for payment of the tax imposed by Chapter 375 of NRS and for compliance with the disclosure and recording requirements of paragraph (f) of subsection 1 of NRS 598.0923, if applicable, by the subdivider or any successor in interest.

**Attachments:**

**Exhibit A – Case Maps**

**Exhibit B – Planning Commission Denial Letter**

**Exhibit C – City Council Approval Letter**

**Exhibit D – Time Extension Request**

**Exhibit E – Subject Site**