

**PLANNING COMMISSION  
STAFF REPORT**

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**Date:** December 5, 2024

**To:** Reno City Planning Commission

**Subject:** **Staff Report (For Possible Action): Case No. LDC25-00013 (APWF at American Flat) - A request has been made for a conditional use permit to allow: 1) a non-single family use (quasi-public utility) within the Sky Vista Planned Unit Development (PUD); 2) operating hours between 11:00 p.m. and 6:00 a.m.; 3) nonresidential development adjacent to residentially zoned property; and 4) disturbance to a major drainageway. The ±52.58 acre site is comprised of four parcels located on the northwest and southwest corners of Military Road and Lear Boulevard. The site is zoned Planned Unit Development (Sky Vista PUD) and Public Facilities (PF) and has Master Plan land use designations of Suburban Mixed-Use (SMU), Public/Quasi-Public (PQP), and No Land Use (NOLU).**

**From:** Jeff Foster, Associate Planner

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**Ward #:** 4

**Case No.:** LDC25-00013 (APWF at American Flat)

**Applicant:** Truckee Meadows Water Authority

**APN:** 550-380-03, 086-154-14, 568-031-01 and 02

**Request:** **Conditional Use Permit:** To allow 1) a non-single family use (quasi-public utility) within the Sky Vista Planned Unit Development (PUD); 2) operating hours between 11:00 p.m. and 6:00 a.m.; 3) nonresidential development adjacent to residentially zoned property; and 4) disturbance to a major drainageway.

**Location:** See Case Maps (**Exhibit A**)

**Proposed Motion:** Based upon compliance with the applicable findings, I move to approve the conditional use permit, subject to the conditions listed in the staff report.

**Summary:** The ±52.58 acre site is comprised of four parcels located on the northwest and southwest corners of Military Road and Lear Boulevard. The primary parcel, where the Advanced

Purified Water Facility at American Flat (APWF at American Flat) is proposed, is undeveloped with the exception of a Sky Vista monument sign, walking path, and associated landscaping. Across Lear Boulevard at the Reno-Stead Water Reclamation Facility (RSWRF), a retention/detention basin will be constructed as well as a new process building within the existing RSWRF complex. Two sliver parcels along Military Road owned by the City will be acquired by the Regional Transportation Commission (RTC) to complete planned improvements along Military Road. The proposed conditional use permit (CUP) would allow: 1) a non-single family use (quasi-public utility) within the Sky Vista Planned Unit Development (PUD); 2) operating hours between 11:00 p.m. and 6:00 a.m.; 3) nonresidential development adjacent to residentially zoned property; and 4) disturbance to a major drainageway. Key project issues include: 1) compatibility with surrounding uses, 2) site design, and 3) major drainageway disturbance. These issues have been mitigated through the project design, code compliance, and/or conditions of approval. Staff recommends approval subject to all proposed conditions.

**Background:** The subject property lies within the boundaries of the Sky Vista Planned Unit Development (PUD). The PUD and supporting handbook were approved in 1994 and allow for  $\pm 2,300$  homes, convenience commercial, and open space. The proposed project is located on a parcel designated on the Sky Vista Land Use Plan as convenience commercial. According to Assessor's records, the parcel was sold/transferred to the City in 2006. The City purchased the property due to its proximity to RSWRF, allowing for future expansion.

The proposed APWF is an indirect potable reuse (IPR) groundwater recharge initiative led by a regional partnership between Truckee Meadows Water Authority (TMWA) and the City. Since 2008, researchers from the University of Nevada, Reno, consultants, and regional water agency staff conducted pilot testing on advanced treatment processes. These collaborative efforts led to the OneWater Nevada team whose mission is to explore a comprehensive design approach and operating strategies to extend the resiliency and sustainability of local water resources for future generations. The APWF at American Flat will diversify the region's water supply and prove up a technology that can be used elsewhere in the Truckee Meadows to further increase water resources for the region.

As the first IPR project in Nevada, the APWF aims to increase the region's water supply, address climate change impacts, maximize water rights efficiency, and provide an effluent management option to decrease environmental discharges to a closed basin playa prone to flooding. The project helps to adequately address anticipated growth considering severe and prolonged drought conditions, diversify and expand the region's water resource portfolio, and address effluent management challenges that inhibit or prevent development in certain areas.

The City owns and operates RSWRF, which can treat up to four million gallons per day (MGD). RSWRF currently treats wastewater from approximately 25,000 residents of the North Valleys to

high-quality Class A effluent. The project will allow for full utilization of RSWRF's treatment capacity by providing a total water management solution.

The production of category A+ advanced purified water, which is intended for potable use, begins by conveying recycled water from RSWRF to the proposed APWF where advanced treatment will occur. To meet category A+ standards, effluent must be treated through several advanced purified water treatment processes that results in a final finished water supply meeting all federal and state drinking water standards. The category A+ water will be injected into two wells at the American Flat property. Subsequently, water will be extracted from two different wells after a period of at least six months in the aquifer, which is an environmental buffer that also provides further treatment through natural processes. Once all final permitting is in place, and extensive water quality testing and a prove-up period are complete, the water stored in the aquifer will be extracted and utilized as potable water within TMWA's transmission network. The American Flat portion of the project is in Washoe County. A separate discretionary permit will be processed through the Washoe County Community Services Department for this part of the overall project.

Public engagement has occurred throughout the planning process including meetings with the community, civic leaders, state and federal agencies, and property owners on numerous levels. The project team met with residents along the ±6.6-mile route between the proposed APWF and American Flat on numerous occasions and stakeholders/residents were invited to public workshops.

**Discussion:** The project proposes disturbance of a major drainageway, which requires approval of a major site plan review. Nonresidential development adjacent to residentially zoned property requires approval of a site plan review. Under Future Approvals on page 6-4 of the Sky Vista PUD handbook, all uses, other than single family, require the approval of a special use permit (now conditional use permit/CUP). A CUP is generally required for uses operating between 11:00 p.m. and 6:00 a.m. As a result, all of the individual requests were elevated to a CUP.

### **Analysis:**

**Compatibility with Surrounding Uses:** The general development pattern in the project vicinity is industrial, public facility, and residential in nature. The land uses surrounding the site are summarized in the table below.

Adjacent Properties		
	Zoning	Use
North	I, IC, PF, and MF-30	Warehouses, single-family residential, park/open space
East	I, SF-11	Warehouse, single-family residential
South	PUD	Single-family residential, Horse Creek
West	PF, PUD	Park/open space, single-family residential

Surrounding land uses are primarily warehouses and single-family residences, which are located a significant distance from the proposed APWF building and other project components (**Exhibit B**). A Sky Vista HOA parcel, containing Horse Creek, provides a buffer for the closest residential uses to the south (**Exhibit C**). Under normal conditions only two operators will be on premises after standard working hours. Operations are enclosed within buildings and extensive care/consideration has been given to site design as it relates to the adjacent residential uses, noise, smoke, odor, dust, vibration, and illumination. As a result, the project will not be materially detrimental to surrounding land uses or public health, safety or welfare. The use of necessary compounds (liquid oxygen and hydrogen peroxide) will be isolated to the west and front sides of the building (away from residential uses) and stored indoors or outside near the project entrance in a double-walled steel tank (designed in accordance with all applicable rules and regulations to ensure maximum safety). The new RSWRF process building will not be apparent or visible from surrounding uses due to its location within the existing complex, separation distance, and intervening screening (**Exhibit D**). Drive-up doors are proposed on the south elevation of the building. Staff recommends a condition to limit the hours of truck arrivals/departures, idling, and onsite movements (**Condition 5**). Restricted construction hours will also reduce potential impacts on existing residential uses (**Condition 6**). Noise mitigation options from the project acoustical study will be implemented throughout construction and on an as-needed basis. Given all of the above, the proposed use is generally compatible with existing land uses in the area.

**Site Design:** The project proposes a ±42,233 square foot primary process building, two supporting pump station buildings, underground and above ground tanks, associated infrastructure, parking, landscaping, and vehicle and pedestrian circulation improvements. The site plan identifies a future second phase expansion of the primary process building totaling ±22,448 square feet. No construction schedule is proposed for the expansion; the future footprint is included in the application to ensure all code requirements are met and that no additional impacts are anticipated if or when a second phase is constructed.

The project adheres to the non-residential setbacks required by the PUD handbook. The PUD handbook indicates Parcel A (the APWF parcel) has a height limit of two stories; the APWF building is two stories with a basement. Elevations for the proposed ±40 foot tall building are shown in **Exhibit E**. The street facing façades (north, east and west elevations) appear to meet the required wall articulation per RMC 18.04.1003(c)(2)(b) and ground floor transparency requirement per RMC 18.04.1003(c)(3). The transparency on the east and west elevations incorporates windows placed 25-30 feet above the ground, addressing the need for heightened protection and security of uses inside the building along with the need for a solid wall surface to accommodate piping, electrical panels, and other equipment. The south elevation utilizes metal panels to simulate windows, eliminating the potential for internal lighting to be visible from the adjacent residential area.

All interior and exterior sources of light will be directed away from residentially zoned property in accordance with the lighting plan (**Exhibit F**). The exterior lighting system will generally be off unless maintenance needs arise. Some lights will need to be on during the evening for safety and security purposes, including main doors that face away from the residential uses to the south as well as wall packs and light poles at the main entrance. Per RMC 18.04.1407(c), the two proposed light fixtures within 100 feet of the residentially zoned property to the south are limited to 18 feet in height; the remainder are 23 feet tall. The proposed lighting complies with RMC 18.04.1407(a) with less than 0.5-foot candle of spillover light at the residential property lines to the south. The lighting level for the project totals  $\pm 245,567$  lumens, well below the maximum allowable level of 663,000 lumens (6.63 acres x 100,000 per acre) per RMC 18.04.1304(c).

Per RMC 18.04.809(c)(6), public utilities in any zone may be enclosed by a fence six feet in height with barbed wire used above it if the total height does not exceed nine feet. Arms carrying barbed wire shall extend inward or straight up. The PUD handbook allows fencing to be up to eight feet. The project area perimeter is proposed to be fenced with an eight foot high chain link fence topped with an outward projecting arm containing three rows of barbed wire for a total height of nine feet. This design is required by the Department of Homeland Security (DHS) due to the nature of the proposed project. While code and the PUD handbook do not separately allow the fencing as proposed, combined they do, especially in light of the DHS requirement.

The project includes extensive landscaping both inside and outside the perimeter fence in compliance with code and the PUD standards (**Exhibit G**). The PUD handbook requires that a minimum of 25% of the site be landscaped. Approximately 34.9% of the site area is proposed to be landscaped, including 313 existing and new trees of numerous varieties (with a double row of trees along the south property line) augmented by 16,911 shrubs and perennials. The landscaping will fulfill streetscape and parking area design requirements, screen the perimeter fencing and building façades, enhance the project entrance, and create a community amenity along Horse Creek.

Despite the potential elimination of planted vegetation within the footprint of the future building expansion, the proposed vegetation along the Horse Creek consists of large deciduous and evergreen trees, shrubs, and an herbaceous perennial understory that will continue to screen views of the building from the residential area to the south.

The existing landscaping maintained by the Sky Vista HOA along Lear Boulevard will be reconstructed to eliminate the meandering asphalt walkway and replace it with a landscaped parkway that includes Class 4 street trees, a 10 foot shared use path, and four foot planter area outside the perimeter fence. The improvements along this section are a collaborative process with

RTC. The existing Sky Vista HOA monument sign located on the subject property will be relocated.

Street trees are programmed every 30 linear feet in the adjacent right-of-way along Lear Boulevard per RMC 18.04.804(f)(1)(a)(1). However, trees cannot be planted immediately adjacent to the Military Road right-of-way due to the existence of sanitary sewer and stormwater pipes. To meet the intent of the code section and provide a pleasing and shaded walking environment, the project proposes decorative shrubs planted in the parkway and Class 4 trees placed adjacent to the perimeter fence to create a canopy effect over the proposed shared use path. The project also includes Class 4 trees planted along the interior perimeter fence in the front yard.

***Major Drainageway Disturbance:*** Horse Creek is a major drainageway that runs along the south project boundary and under Military Road through a four-barrel culvert. The City owns portions of Horse Creek and holds stormwater and sanitary sewer easements in and along the creek to allow for effluent flows from RSWRF to Swan Lake. A well-worn path and pole crossing of Horse Creek from the adjacent subdivision to the site area currently exists. The project proposes to install a pedestrian bridge across Horse Creek as a community amenity to access the pedestrian path planned to circumnavigate the project area. The existing access road on the south side of the creek will be upgraded through widening and added aggregate.

As shown in the Horse Creek cross-section (**Exhibit H**), grading disturbance and improvements to Horse Creek are proposed within the 15-foot setback measured from the existing top of bank. Approximately 280 cubic yards of fill are proposed with grading for the creation of a pedestrian walking path, slope landscaping, security fence, and expanded land area for additional landscape screening/buffering in accordance with RMC 18.04.104(e) standards. In addition, the proposed pedestrian bridge requires grading for structural footings. The City will potentially make modifications to the existing utility crossing (a concrete weir in the bottom of Horse Creek) and the adjacent reach of the creek located downstream to enhance its capacity during peak flow events. Grading activities are not anticipated to impact existing riparian species in the creek bed. Construction sediment fencing or other suitable treatment will be deployed onsite to protect the existing channel from sediment loaded runoff into the drainageway in compliance with code.

***Traffic and Access:*** Trip generation for the proposed project includes employees, university students, a weekly chemical delivery truck, and tours/school/public events twice a month. The expected trip generation is well below RMC requirements for a traffic entry and access study. The project will generate minimal traffic and no significant impact to the street network is anticipated.

RTC is scheduled to widen Military Road from Lemmon Drive to Echo Avenue to four lanes and make improvements to the intersection of Lear Boulevard and Military Road in fall 2025. The site has two proposed accesses, one on Military Road and one on Lear Boulevard, which were

evaluated with consideration of these future improvements. The driveway onto Military Road will be limited to right turn outbound movements only. The driveway onto Lear Boulevard is full access and will accommodate truck traffic. The applicant is coordinating needed improvements to Military Road and Lear Boulevard with RTC.

***Utilities and Services:*** Since the surrounding area is built out, required utilities (water, stormwater, sewer and power) and public services (including police and fire) are already in place. The project will generate minimal sewage and no significant impact to the sanitary sewer system is expected.

***Master Plan Conformance:*** The subject site has Master Plan land use designations of Suburban Mixed-Use (SMU), Public/Quasi-Public (PQP), and No Land Use (NOLU), and is located within the Outer Neighborhoods and Mixed Use Areas per the Structure Plan Framework of the Reno Master Plan. As proposed and with the recommended conditions, the proposed project is in substantial conformance with the Master Plan land use designations and the following applicable Master Plan goals and policies:

- GP 2.1A: Growth Tiers
- GP 2.4B: Growth Capacity
- GP 2.4C: Water Supply
- GP 2.4D: Water and Wastewater Operations and Planning
- GP 7.1D: Environmentally-Sensitive Areas
- GP 7.1E: Hydrologic Resources
- GP 7.1F: Major Drainageways
- GP 8.6C: Partnerships

***Public and Stakeholder Engagement:*** The project was reviewed by various City divisions and partner agencies. No comments of concern were received. A courtesy notice was sent out to surrounding property owners upon initial submittal of the project. The applicant presented their project at the November 21, 2024 Ward 4 Neighborhood Advisory Board meeting. No comments have been received. Any future comments will be forwarded to the Planning Commission as they are received.

***Recommended Conditions of Approval:*** All conditions shall be met to the satisfaction of Development Services Department staff, unless otherwise noted.

1. The project shall comply with all applicable City codes, plans, reports, materials, etc., as submitted. In the event of a conflict between said plans, reports, materials and City codes, City codes in effect at the time the application is submitted shall prevail.

2. The applicant shall apply for a building permit for the entire project within 18 months of the date of approval of the conditional use permit review application and maintain the validity of that permit, or the conditional use permit approval shall be null and void.
3. Prior to the issuance of any building permit or business license associated with this project, the applicant shall attach a copy of the final approval letter. The approval letter shall accompany a narrative provided by the applicant that describes how the requested permit addresses each of the approved conditions of approval.
4. The applicant, developer, builder, property owner, or business proprietor, as applicable, shall continuously maintain a copy of this approval letter on the project site during the construction and operation of the project/business. The project approval letter shall be posted or made readily available upon demand by City staff.
5. Truck arrival, departures, and on-site movement shall be limited to between the hours of 6:00 a.m. and 11:00 p.m. during standard operations. Truck idling is prohibited on the site. Prior to the issuance of a building permit for vertical construction, the applicant shall have plans approved demonstrating that signage shall be installed adjacent to the drive-up doors informing vehicle operators that idling is prohibited. This condition does not apply to onsite security and staff operations or to the personal vehicles associated with those operations.
6. Hours of construction, including grading, shall be limited to between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday, and between 8:00 a.m. and 6:00 p.m. on Saturday. There shall be no construction on Sundays. This condition shall not apply to dust control or storm water management operations. A note to this effect shall be placed on the title sheet of all building permit plan sets. A sign with the approved construction hours shall be posted on site for the full duration of construction activity. If the construction hours need to be varied for the pouring of concrete slabs, interior construction hours or other modifications, a plan detailing the construction operations and provisions to minimize impacts on nearby residential areas shall be submitted and approved to the satisfaction of the Administrator.

### **Findings:**

**General Review 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.

**Conditional Use Permit**: In addition to meeting the criteria in Section 18.08.304(e), *Approval Criteria Applicable to all Applications*, the following findings shall be made prior to granting a conditional use permit:

- 1) The proposed location of the use is in accordance with the objectives of this Title and the purpose of the zoning district in which the site is located;
- 2) The proposed land use and project design is compatible with surrounding development;
- 3) The proposed land use and project design is consistent with applicable development standards;
- 4) Public services and facilities are available to serve the project, or will be provided with development;
- 5) The characteristics of the use as proposed and as may be conditioned are reasonably compatible with the types of use permitted in the surrounding area; and
- 6) The granting of the conditional use permit will not be materially detrimental to the public health, safety, or welfare. The factors to be considered in evaluating this application shall include:
  - a. Property damage or nuisance resulting from noise, smoke, odor, dust, vibration, or illumination; and
  - b. Any hazard to persons and property.

**Attachments:**

Exhibit A. Case Maps  
Exhibit B. Preliminary APWF Site Plan  
Exhibit C. Horse Creek Buffer Zone Time Lapse Study  
Exhibit D. Preliminary RSWRF Site Plan  
Exhibit E. Preliminary Elevations  
Exhibit F. Preliminary Photometric Analysis  
Exhibit G. Preliminary Landscape Plan

Exhibit H. Horse Creek Section View