MINUTES

Regular Meeting

Reno City Planning Commission

Wednesday, February 07, 2024 • 6:00 PM

Reno City Council Chamber, One East First Street, Reno, NV 89501

Commissioners			
J.D. Drakulich, Chair 326-8861			
Harris Armstrong, Vice Chair	326-8859	Kerry Rohrmeier	326-8864
Manny Becerra	326-8860	Alex Velto	326-8858
Arthur Munoz	326-8862	Silvia Villanueva	326-8863

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1 Pledge of Allegiance

Commissioner Velto led the Pledge of Allegiance.

2 Roll Call

All commissioners present.

3 Public Comment (This item is for either public comment on any action item or for any general public comment.)

None

4 Approval of Minutes (For Possible Action)

4.1 Reno City Planning Commission - Regular - December 20, 2023 6:00 PM (For Possible Action)

It was moved by Silvia Villanueva, seconded by Harris Armstrong, to approve. Motion .

RESULT:	**Approved [7 TO 0]**
MOVER:	Silvia Villanueva, Commissioner
SECONDER:	Harris Armstrong, Vice Chair
AYES:	Drakulich, Armstrong, Becerra, Munoz, Rohrmeier, Velto, Villanueva
NAYS:	
ABSENT:	
ABSTAIN:	

RECUSED:	

4.2 Reno City Planning Commission - Regular - January 3, 2024 6:00 PM (For Possible Action)

It was moved by Manny Becerra, seconded by Silvia Villanueva, to approve. Motion .

RESULT:	**Approved [5 TO 0]**
MOVER:	Manny Becerra, Commissioner
SECONDER:	Silvia Villanueva, Commissioner
AYES:	Armstrong, Becerra, Munoz, Rohrmeier, Villanueva
NAYS:	
ABSENT:	
ABSTAIN:	J.D. Drakulich, Alex Velto
RECUSED:	

5 Public Hearings – Any person who has chosen to provide his or her public comment when a Public Hearing is heard will need to so indicate on the Request to Speak form provided to the Secretary. Alternatively, you may provide your comment when Item 3, Public Comment, is heard at the beginning of this meeting.

5.1 Staff Report (For Possible Action): Case No. **LDC24-00029 (Reno Axe)** - A request has been made for a conditional use permit to allow an existing indoor recreation and bar use to operate live entertainment activities between the hours of 11:00 p.m. and 10:00 a.m. The ±0.32 acre site is located on the northeast corner of North Sierra Street and West First Street (100 North Sierra Street). The site is within the Mixed-Use Downtown – Riverwalk District (MD-RD) zone and has a Master Plan land use designation of Downtown Mixed-Used (DT-MU). **[Ward 5]**

Alex Groden, applicant, gave an overview of the project and the conditional use permit request.

Carter Williams, Assistant Planner, provided staff analysis. With the recommended conditions, staff can make all of the required findings and recommends a motion for approval.

Disclosures: visited the site, reviewed public feedback, read and received emails

Public Comment:

The following people spoke in opposition with concerns related to the potential hours of operation that would be allowed, setting precedent for other bars in the area, noise issues, and inadequate police presence to deal with disruptive behavior:

Morten Homme
Ann Cascarano
Robert Rabkin
Marilyn Johnson
Magali Rivera
Paul Irving
Jennifer Hagen

Correspondence was received with 2 in favor and 10 opposed. Those were forwarded to the Planning Commission and entered as part of the record.

Questions:

Commissioner Armstrong asked staff to respond to public comment regarding the hours of operation in the staff report being different from the hours the applicant is proposing.

Mr. Williams explained the public notice post card indicates the trigger for an application. Condition No. 1 requires that the applicant comply with what was submitted in their application, which is to operate until 3:00 a.m. Condition No. 5 also specifies the hours of operation that would be allowed.

Commissioner Armstrong asked staff to respond to public comment regarding this setting a precedent.

Mr. Williams confirmed that this conditional use permit process is available to any business that wants to operate live entertainment past 11:00 p.m.

Chair Drakulich clarified that public comment concern was regarding noise outside the establishment. With other bars and a restaurant in that area, we can't associate noise complaints to one business or another. He asked if Code Enforcement response to noise complaints will impact this applicant whether it is their patrons or not.

Mr. Williams explained when Code Enforcement verifies compliance with the sound level restriction, there are ways to target the sound source.

Commissioner Velto asked how far away staff is looking when determining compatibility.

Mr. Williams explained that from a sound perspective, they are looking at the immediate area which has a lot of residential. It is less about the proximity to other uses and more about whether any use is going to be impacted negatively.

Mr. Groden responded to Commissioner Velto's questions regarding hours of operation for other businesses in the area. He confirmed that they are requesting to stay open until 3:00 a.m. on Thursday, Friday and Saturday and 11:00 p.m. on the other nights. Live music would be downstairs only.

Mr. Williams confirmed for Commissioner Villanueva that the business can be open 24 hours without live entertainment.

Commissioner Villanueva asked about compatibility requirements for other bars in the area.

Mr. Williams stated there are a number of bars downtown that established at different times with different requirements. As new operators come in we are looking at the original entitlements to see if we can apply the same standards to bring them into conformance with what is acceptable in a mixed use environment.

Mr. Williams confirmed for Commissioner Villanueva that staff does consider the proximity to residential for each conditional use permit request when looking at issues that could impact a finding of compatibility.

Commissioner Becerra asked what the vision is for mixed use downtown.

Mr. Williams stated from the master plan perspective, we want uses on the ground floor that will directly interact with a pedestrian environment while also providing the opportunity for residential and office uses that economically support a mixed use environment.

Mr. Williams confirmed for Commissioner Becerra that the proposed conditions were crafted with consultation of the Reno Police Department.

Mr. Frayssinoux responded to Commissioner Villanueva and stated they usually only have a queue outside about four times a year.

Commissioner Villanueva noted the applicant presentation stated the extended hours of operation would be for Friday and Saturday only while the staff presentation included Thursday night as well. She asked if the applicant would be open to only Friday and Saturday being open to 3:00 a.m. and not Thursday.

Mr. Frayssinoux responded yes.

Discussion:

Commissioner Velto stated he is in support of this as proposed by staff and can make all of the findings. When we look at the surrounding areas it would be unfair for us not to permit this type of use.

Chair Drakulich stated he also likes this as proposed and would hate to hinder a business.

Commissioner Munoz stated what Reno Axe is asking for is completely reasonable. There was public comment expressing concern that this would set a precedent, but the precedent has already been set with other bars in the area.

Commissioner Becerra stated he echoes the sentiments of his fellow commissioners and will support this. He empathized with the concerns expressed but recognized that the applicants are pretty neighborly. They have been thoughtful and if their presentation and outreach efforts are any indication of how things are going to go, things will be good for the area and it could be the model for how others should move forward with seeking conditional use permits.

Commissioner Rohrmeier also shared the sentiments of her fellow commissioners and will be supporting this request. From a compatibility standpoint the discussion is interesting since this business has been upstanding for four years. They have not had Code Enforcement issues and have been good neighbors. They have proven their compatibility in many ways.

Commissioner Villanueva stated generally speaking it is appropriate to grant the extension but she disagrees with including Thursday. While there are other businesses in the area, Reno Axe is a direct neighbor to residents. For the most part she agrees with her colleagues but asked that they only approve the extended hours for Friday and Saturday. The applicant can come back in the future and ask for the extra day after we see how this goes.

Chair Drakulich read the appeal process into the record.

It was moved by Harris Armstrong, seconded by Alex Velto, to approve the conditional use permit, subject to conditions listed in the staff report as presented. Motion Pass.

RESULT:	**Approved [6 TO 1]**
MOVER:	Harris Armstrong, Vice Chair
SECONDER:	Alex Velto, Commissioner
AYES:	Drakulich, Armstrong, Becerra, Munoz, Rohrmeier, Velto
NAYS:	Silvia Villanueva
ABSENT:	
ABSTAIN:	
RECUSED:	

5.2 Staff Report (For Possible Action - Recommendation to City Council): Case No. **TXT24-00001 (Title 18 – Affordable Housing Initiatives)** – A request has been made to amend Reno Municipal Code Title 18, "Annexation and Land Development," specifically in Chapter 18.03 "Use Regulations" Section 18.03.206 "Table of Allowed Uses," Section 18.03.302 "Residential Uses," Chapter 18.04 "Development Standards, Section 18.04.905 "Additional Standards for Multi-Family District," Section 18.04.1503 "Incentives for Affordable Housing," and Section 18.04.1504" Density Bonus Incentives for Small Unit Sizes," in order to expand which zoning districts duplex, triplex and fourplex units are allowed, expand which zoning districts live/work, multi-family and single-family attached uses are allowed, amend use standards for residential uses, amend triggers for entitlements for residential uses with less than 100 units, relocate the standards for density bonuses in multi-family districts to a different section of the zoning code, add exemptions from entitlement review for affordable housing projects, add expedited building permit processes for affordable housing projects, modify the density bonuses for affordable housing projects, and to increase the density bonuses for small unit sizes; together with matters which pertain to or are necessarily connected therewith. **[Ward City-Wide]**

Angela Fuss, Assistant Director of Development Services, gave a presentation of the staff report. The presentation included information on the proposed changes to Title 18 specific to housing initiatives including revisions to density bonus calculations.

Disclosures: reviewed staff report and letters received, attended stakeholder meeting, spoke with a stakeholder

Public Comment:

Correspondence received was forwarded to the Planning Commission and entered into the record.

Donna Keats (via zoom) expressed concerns regarding the proposed changes. She asked the Planning Commission to consider the wisdom of some of the proposed changes, particularly the ones that cut out the very low income people as a specific bonus group and make it into bigger categories.

Questions:

Ms. Fuss explained for Commissioner Velto why there are no bonuses included for setback and building height changes. One of the challenges in this

process with our stakeholders is how to preserve the integrity of existing neighborhoods. We are trying to find a balance to make things more affordable without a drastic negative impact on an existing neighborhood.

Commissioner Velto and Ms. Fuss discussed potential options to allow for one additional story, if affordability requirements are met.

Ms. Fuss answered questions from Commissioner Villanueva and explained the 60% AMI requirement and entitlement triggers.

Ms. Fuss explained for Commissioner Velto why the conditional use permit requirement was included for duplex, triplex and fourplex units.

Ms. Fuss answered questions from Commissioner Rohrmeier regarding parking requirements for affordable housing. There are regulations in the zoning code that allow for reduced parking with affordable housing. We are extremely flexible with affordable housing projects and we administratively have flexibility built into code that allows them to reduce parking to something that matches their needs.

Ms. Fuss explained for Commissioner Rohrmeier that reviewing neighborhood plans to look for ways to make affordable housing possible and support infill is on their list of things to do this year. She also discussed ways they are looking into encouraging ownership options for affordable housing. With regard to the letter from the school district, Ms. Fuss explained that Public Facility zoning was never intended for multifamily and there would be unintended consequences if that were allowed, such as allowing multifamily in industrial or open space areas. Public Facility zoning is intended for uses such as fire stations, police stations, court houses libraries, etc.

Ms. Fuss answered questions from Commissioner Villanueva regarding some of the proposed changes and explained zoning district setback requirements.

Ms. Fuss answered questions from Commissioner Velto regarding reducing the setback requirement for affordable housing. She explained that flexibility with building height would be more needed by developers than reducing setback requirements.

Ms. Fuss confirmed for Chair Drakulich that eliminating single-family zoning was not discussed as something the City wants to initiate.

(Recess at 8:19 p.m. Meeting resumed at 8:27 p.m.)

Discussion:

Commissioner Velto stated this is a good opportunity to make a difference in the zoning code and increase affordable housing. He expressed support for two amendments to the code in addition to what is proposed by staff. The first would be to add an entitlement for height deviation by right for two additional stories if the project meets the affordable housing requirement. The second would be to allow by right duplexes, triplexes and fourplexes in SF3, SF5, SF8 and SF11 zoning districts. He expressed concern with the proposed language that requires a conditional use permit.

Chair Drakulich stated he likes Commissioner Velto's suggestion but thinks the part about SF3, SF5, SF8 and SF11 may deserve a little more public awareness and discussion. He asked staff where this goes next and how the public will know about it.

Ms. Fuss explained this is a recommendation to City Council so the next step would be a first reading and then a second reading at City Council. The goal here is to get something that Council will support, which means the community has to support it.

Commissioner Velto stated he would rather ask for too much from Council and have them make changes than ask for too little and have Council still make changes.

Chair Drakulich stated he is willing to support the proposed additions as long as it is going to Council and has public discussion.

Commissioner Villanueva expressed support for the amendments as presented by staff. Staff spent a lot of time on this and held three stakeholder meetings. She expressed concern that the additional changes suggested could be too much too soon and could potentially cause issues with some of the aesthetic nature that comes with living in the City of Reno.

Commissioner Rohrmeier expressed support for Commissioner Velto's suggested amendments. She would even support going much farther. It is time to recognize that the City of Reno is a desirable city. People are moving here and the housing supply is too few and too expensive. We need to do everything we can to address this issue. She would entertain allowing MF45 zoning, zero parking requirements for affordable housing, and no requirements for major or minor zoning deviations for setbacks for affordable housing projects. There are a lot of little things in code that could achieve quite a lot that density bonuses strive for but can't actually implement.

Commissioner Becerra expressed support for his fellow commissioner's

comments and for the suggested additional changes. He supports the idea of putting something forward to City Council that could make drastic changes sooner. If Council feels more reserved about it, they can scale it back.

Commissioner Armstrong stated that what staff has proposed is very much in alignment with what he has heard and understands about development. The proposed changes will make it a lot easier for these projects to pencil and make them more attractive so we see more of them. He also expressed support for the additional changes suggested by Commissioner Velto. He would rather provide City Council with something as robust as they can within reason and they can make those changes with the public process and input during their two readings.

Commissioner Munoz stated this is something he can see having a huge impact in Ward 4 and having less of an impact in south Reno and Verdi, so he is hesitant to add anything extra. He stated that he has always pushed development away from housing up in that area right now because the amenities and infrastructure is not suitable and sustainable for this yet. Anything that makes affordable housing come in a lot quicker is not a good option for the North Valleys right now. What staff has proposed is what fits right now. The additional changes suggested by Commissioner Velto would be good for most of the city but not for Ward 4. He would support the original changes as presented by staff but not the additional changes discussed.

Commissioner Velto explained that he hopes by encouraging these changes and making it more affordable to develop, developers might be more interested in developing in the inner core of Reno. He also expressed support for Commissioner Rohrmeier's comments and wants to push the needle as far as possible, if it is palatable with the Planning Commission. He asked Commissioner Rohrmeier to further explain some of the things she mentioned.

Commissioner Rohrmeier stated she understands we have a spectrum of ideas and opinions here based on our own experiences and she respects that as part of the process. Some of the specific items we are trying to address really target just few areas in the urban core and that is Wells Avenue Neighborhood and West University Neighborhood. Because they have such strict neighborhood and character plans they restrict the ability to build. Even with an incredible density bonus second and third stories have to be pushed back so they have added setbacks which makes the amount of building footprint on those stories very small. Another thing to consider is parking. It is not realistic for every developer to be able to afford subterranean parking garages so parking becomes a surface nightmare and eats up a lot of land. Two additional amendments to consider are to maximize the air space and maximize the ground space by getting rid of parking requirements increasing the ability to

build out a lot. By getting rid of parking requirements and minor and major deviations around stepbacks in those multifamily developments you are allowing for code to be varied without having to go through the variance process.

Commissioner Velto asked for feedback from the rest of the commission on a proposed amendment to remove minor and major deviation setback requirements on affordable housing developments and to remove parking requirements on affordable housing projects.

Commissioner Beccera expressed support for the suggested amendment. To address Commissioner Munoz's concerns he suggested including in the amendment that it runs as a pilot for six months to a year and only within a certain corridor to gauge how things go before opening the floodgates.

Commissioner Villanueva stated she generally agrees with Commissioners Velto and Rohrmeier and supports their suggestions. Her concern is doing too much too quickly. She expressed support for Commissioner Beccera's suggestion to limit it to a certain area.

Commissioner Munoz stated that if it is a possibility to limit it to a specific corridor or area for a test to see how it goes after six months or a year, he would be in support of that.

Ms. Fuss explained that nothing will be built in six months or even a year. It will probably be three to four years before we see something built with these new standards. She would not recommend including language related to a trial period in the amendments.

Commissioner Velto explained his concern with Commissioner Becerra's suggestion to apply the additional amendments in only a certain area initially. There is already a finite amount of land in Reno and we are too late to do a test case. If we draw geographic boundaries that excludes land that can be developed, we are handicapping our ability to maximize the benefits of providing for affordable housing.

After further discussion on the pros and cons of limiting the additional amendments to apply only to certain areas, Chair Drakulich stated he would like to entertain a motion including all of the additional amendments discussed first. If that does not pass, he would entertain a motion including just the two additional amendments suggested by Commissioner Velto. If that also does not pass, he would entertain a motion to approve the original amendments as presented by staff.

Discussion on the motion:

Chair Drakulich stated he will support this because it will go to City Council with public discussion.

Commissioner Becerra stated he will likely be in support of the motion and asked if staff will present to City Council the various options we discussed.

Ms. Fuss confirmed they will and stated the Planning Commission meeting minutes will also be included for City Council to review.

Ms. Fuss confirmed for Commissioner Velto that staff can highlight for Council the concerns discussed by Commissioners Munoz and Becerra.

It was moved by Alex Velto, seconded by Harris Armstrong, to recommend that City Council approve the text amendment by ordinance, including the revisions to density bonus calculations as proposed by staff, with four additional amendments. First, an amendment to add an entitlement for a height deviation by-right allowing a project to build two additional stories to a building if the project complies with the affordability requirements. Second, an amendment to allow by-right duplexes, triplexes, and fourplexes in SF3, SF5, SF8 and SF11. Third, an amendment to remove minor and major deviation setback requirements on affordable housing developments. Fourth, an amendment to remove parking requirements for affordable housing projects. Motion Pass.

RESULT:	**Approved [5 TO 2]**
MOVER:	Alex Velto, Commissioner
SECONDER:	Harris Armstrong, Vice Chair
AYES:	Drakulich, Armstrong, Becerra, Rohrmeier, Velto
NAYS:	Arthur Munoz, Silvia Villanueva
ABSENT:	
ABSTAIN:	
RECUSED:	

6 Truckee Meadows Regional Planning Liaison Report

None

7 Staff Announcements

7.1 Report on status of Planning Division projects.
7.2 Announcement of upcoming training opportunities.
7.3 Report on status of responses to staff direction received at previous meetings.

7.4 Report on actions taken by City Council on previous Planning Commission items.

Mike Railey, Planning Manager, reported there will not be a second Planning Commission meeting this month. He also provided updates on projects reviewed by the Planning Commission.

8 Commissioner's Suggestions for Future Agenda Items (For Possible Action)

None

9 Public Comment (This item is for either public comment on any action item or for any general public comment.)

Donna Keats (via zoom) expressed concern that the discussion under Agenda Item 5.2 did not consider all the public input that went into what was presented by staff.

10 Adjournment (For Possible Action)

The meeting was adjourned at 9:08 p.m.