

## STAFF REPORT

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**Date:** July 31, 2024

**To:** Mayor and City Council

**Thru:** Jackie Bryant, Interim City Manager

**Subject:** Staff Report (For Possible Action): Case No. LDC24-00046 (Rancharrah Village 7 Tentative Map) - Appeal of the Planning Commission's decision to approve a request for a tentative map to allow for a 59-lot single-family detached subdivision. The ±12.09-acre project site is located on the north side of Falabella Way approximately ±200 feet northeast of its intersection with Rancharrah Parkway. The site is located in Village 7 of the Rancharrah Planned Unit Development (PUD) and has a Master Plan land use designation of Suburban Mixed-Use (SMU). An Appeal was filed by Audrey Keller. City Council may affirm, modify, or reverse the decision of the Planning Commission.

**From:** Leah Piccotti, Associate Planner

**Department:** Development Services - Planning

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### **Summary:**

This is a public hearing to consider an appeal of the Planning Commission's approval of a tentative map to allow a 59-lot single-family detached subdivision and associated common areas. Detached single-family residential uses are allowed by right in the Rancharrah Urban Residential land use area. A tentative map is required as the first step in the subdivision process. The tentative map provides a mechanism for the City to review an overall plan for a proposed subdivision and ensure the provision of adequate facilities and services before approval of a final subdivision map or issuance of a permit. An appeal of the Planning Commission's decision has been filed (**Exhibit A**), and is described below:

Audrey Keller appealed citing that the approval of the tentative map will allow for the demolition and removal of community owners association (COA) property, conflicting with the covenants, conditions, and restrictions (CC&Rs).

Council may deny the appeal and affirm the Planning Commission's decision to approve the tentative map, approve the appeal and modify the conditions of approval, or approve the appeal and deny the project.

**Alignment with Strategic Plan:**

Economic and Community Development

**Previous Council Action:**

The Rancharrah Planned Unit Development (PUD) handbook was originally adopted in the early 1990s. Prior to the implementation of the PUD handbook, the site was used as the Harrah family's ranch, more commonly known as Rancharrah. The handbook was significantly amended in November 2011 (LDC11-00027) and again in May 2015 (LDC15- 00047). A PUD amendment was approved in July 2018, which modified the land use categories for each of the villages. Tentative maps have been approved for Villages 1, 2, 3, 4, 5, 6A, and 6B.

**Discussion:**

A detailed project analysis is provided in the attached Planning Commission staff report (**Exhibit B**). The Planning Commission discussion is summarized in the following points:

- Traffic study analysis, preparation, and updates
- 80% reduction in density from 310 approved units to 59 proposed units
- Number of parking spaces required per unit
- Parking at the sales center
- Rights of the residents to hire independent consultants
- Restricted access at the Talbot entrance
- Narrow roadways, construction traffic, access, and traffic flow within Rancharrah

Draft minutes from the May 1, 2024, Planning Commission public hearing are attached (**Exhibit C**). Public comment related to the proposed development included concerns related to updating the traffic study, inadequate parking within the village, inadequate parking at the sales center when events are held there, no guest access at the Talbot entrance, lack of homeowners association (HOA) enforcement, emergency access concerns, and narrow roads.

**Financial Implications:**

None at this time.

**Legal Implications:**

Legal review completed for compliance with City procedures and Nevada law.

**Recommendation:**

Staff recommends Council review the letters of appeal and Planning Commission action and affirm, modify, or reverse the Planning Commission's decision.

**Proposed Motion:**

Below are proposed motions with the findings for affirmation, modification, and reversal of the Planning Commission decision.

***Motion to Affirm Planning Commission Decision***

(Denying the appeal and approving the tentative map)

Regarding the appeal of LDC24-00046 (Rancharrah Village 7 Tentative Map), based on Council's review of the staff report, the record on appeal, and information presented at the public hearing for this appeal, and based on my ability to make all of the findings, I move to AFFIRM approval of the tentative map by the Planning Commission and DENY the appeal. The City Clerk is instructed to prepare and file an order.

***Motion to Modify Planning Commission Decision***

(Affirming the appeal and modifying the conditions of the tentative map)

Regarding the appeal of LDC24-00046 (Rancharrah Village 7 Tentative Map), based on this Council's review of the staff report, the record on appeal, and information presented at the public hearing, I move to AFFIRM the appeal and MODIFY the decision of the Planning Commission as follows \_\_\_\_\_. \*. As modified, I can make all of the required findings as listed in the staff report, and I move to APPROVE the tentative map subject to conditions stated in the Planning Commission decision letter and as modified by Council. The City Clerk is instructed to prepare and file an order. \*Modifications to the conditions of approval outlined in the Planning Commission staff report are: [List modifications]

***Motion to Reverse Planning Commission Decision***

(Affirming the appeal, reversing the Planning Commission's decision, and denying the tentative map)

Regarding the appeal of LDC24-00046 (Rancharrah Village 7 Tentative Map) based on this Council's review of the staff report, the record on appeal, and information presented at the public hearing, I move to AFFIRM the appeal, REVERSE the approval of the tentative map by the Planning Commission, and directly DENY the tentative map, based on my inability to make all the applicable findings. The City Clerk is instructed to prepare and file an order.

## **Legal Requirements:**

Reno Municipal Code (RMC)

RMC 18.08.304(e) Approval Criteria Applicable to all Applications

RMC 18.08.702(e) Tentative Map – Review Considerations

## **General Review Criteria and Considerations:**

**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 an application that provides a public benefit even if the development is contrary to some of the goals, 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 (RTC).
- 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), **Error! Reference source not found.**, and criteria set forth in Nevada Revised Statute (NRS) Section 278.349(3), as follows:

- 1) Environmental and health laws and regulations concerning water and air pollution, solid waste disposal, water supply facilities, community or public sewage disposal, and, where applicable, individual systems for sewage disposal;
- 2) Availability of water that meets applicable health standards and is sufficient for the reasonably foreseeable needs of the subdivision;
- 3) Availability and accessibility of utilities;
- 4) Availability and accessibility of public services such as schools, police and fire protection transportation, recreation and parks;
- 5) Conformity with the zoning ordinances, Master Plan, and elements thereof, except that if any existing zoning ordinance is inconsistent with the Master Plan, the zoning ordinance takes precedence;

- 6) General conformity with the governing body's Master Plan of streets and highways;
- 7) Effect of the proposed subdivision on existing public streets and the need for new streets or highways to serve the subdivision;
- 8) Physical land characteristics such as floodplain, slope, soil;
- 9) Recommendations and comments of those entities reviewing the tentative map pursuant to NRS 278.330 and 278.348;
- 10) 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; and
- 11) 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 Subsection 5 of NRS 598.0923, if applicable, by the subdivider or any successor in interest.

**Attachments:**

Exhibit A – Appeal

Exhibit B – Planning Commission Staff Report

Exhibit C – Excerpt of Draft Minutes – May 1, 2024, Planning Commission

Rancharrah Village 7 Tentative Map Appeal Legal Notice