

STAFF REPORT

Date: December 6, 2023

To: Mayor and City Council

Thru: Doug Thornley, City Manager

Subject: **Staff Report (For Possible Action): Ordinance Introduction – Bill No. _____ LDC24-00007 (Note-able Music Therapy Services Specific Plan District) – A request has been made for a zoning map amendment from the Public Facilities (PF) zoning district to the Specific Plan District (SPD). The ±3.0 acre site is located on the south side of Orovada Street approximately ±285 feet east of its intersection with Silverada Boulevard (2590 Orovada Street). The subject site has a Master Plan land use designation of Public/Quasi-Public (PQP).**

From: Leah Piccotti, Associate Planner

Department: Development Services - Planning

Summary:

The applicant is requesting to convert the property from the PF zoning district to an SPD to allow commercial food service companies to house their kitchen operations in the buildings' existing commercial kitchen. The SPD will retain the PF zoning as the base district with only the addition of allowed commercial kitchen uses. No additional uses or buildings are proposed. Key issues related to the request consist of: 1) compatibility of the proposed zoning and development standards with surrounding land uses; and 2) conformance with the Master Plan. The Planning Commission could make all of the findings and recommended approval of the zoning map amendment.

Alignment with Strategic Plan:

Economic and Community Development

Background:

The site was developed as an AT&T office building in 1973. In 2005, High Desert Montessori acquired the property, and the City Council converted the master plan land use designation from

Northeast Neighborhood Plan/Office to Public Facility and the zoning district from Professional Office (PO) to PF to allow for a primary school. High Desert Montessori outgrew the location and Note-able Music Therapy Services (NMTS) moved into the property during 2021 and purchased the property in early 2022.

Discussion:

The Planning Commission staff report (**Exhibit A**) analyzed compatibility with surrounding land uses, as well as conformity with the Master Plan. The PF zoning district is intended to provide for public and quasi-public facilities and services. Primary uses include public institutions, cultural centers, religions institutions, government centers, libraries, hospitals, schools, and utility installations.

NMTS operations are considered an office use and are allowed by right in the PF zoning district. In October 2022, an application for a business license for “baking goods like biscotti bread, pies, making of toffees, catering of main, sides and appetizers and desserts & craft sales” at the site was denied because the PF zoning district does not allow for any commercial Food and Beverage uses. In discussions with staff, it was determined that the only way to allow NMTS to rent out their commercial kitchen, without a Master Plan amendment, would be to rezone the property to an SPD.

The October 18, 2023 Planning Commission meeting minutes were not available as of the submittal of this staff report. Planning Commission had a brief discussion regarding compatibility with the adjacent residential, the definition of wholesale bakery, and the potential for future development or uses on the site. The Planning Commission unanimously recommended approval, with six in favor and one absent.

Financial Implications: None at this time.

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

Findings:

General Review Criteria and Considerations: 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.

Zoning Map Amendment: All applications for zoning map amendments shall meet the approval criteria in Section 18.08.304(e), *Approval Criteria Applicable to all Applications*, and the following findings:

- (1) The amendment, together with changed components of the Title, promotes, or does not conflict with the provisions of NRS 278.250(2) (outlined below):

The zoning regulations must be adopted in accordance with the master plan for land use and be designed:

- a. To preserve the quality of air and water resources;
- b. To promote the conservation of open space and the protection of other natural and scenic resources from unreasonable impairment;
- c. To consider existing views and access to solar resources by studying the height of new buildings which will cast shadows on surrounding residential and commercial developments;
- d. To reduce the consumption of energy by encouraging the use of products and materials which maximize energy efficiency in the construction of buildings;
- e. To provide for recreational needs;
- f. To protect life and property in areas subject to floods, landslides and other natural disasters;
- g. To conform to the adopted population plan, if required by NRS 278.170;
- h. To develop a timely, orderly and efficient arrangement of transportation and public facilities and services, including public access and sidewalks for pedestrians, and facilities and services for bicycles;
- i. To ensure that the development on land is commensurate with the character of the physical limitations of the land;
- j. To take into account the immediate and long-range financial impact of the application of particular land to particular kinds of development, and the relative suitability of the land for development;
- k. To promote health and the general welfare;

- l. To ensure the development of an adequate supply of housing for the community, including the development of affordable housing;
- m. To ensure the protection of existing neighborhoods and communities, including the protection of rural preservation neighborhoods;
- n. To promote systems which use solar or wind energy;
- o. To foster the coordination and compatibility of land uses with any military installation in the city, county or region, taking into account the location, purpose and stated mission of the military installation.

(2) The amendment is in substantial conformance with the Master Plan.

Rezoning to Specific Plan District (SPD): All applications for zoning map amendments to SPD shall meet the approval criteria in Section 18.08.304(e), *Approval Criteria Applicable to all Applications*, and the following findings:

- (1) The amendment, together with changed components of the Title, promotes, or does not conflict with, the provisions of NRS Section 278.250(2);
- (2) The amendment is in substantial conformance with the Master Plan;
- (3) The SPD Handbook is consistent with the purpose of the SPD District (Section 18.02.506);
and
- (4) The SPD Handbook addresses a unique situation, provides substantial benefit to the City, or incorporates innovative design, layout, or configuration resulting in quality over what could have been accomplished through strict application of a base zoning district.

Recommendation: The Planning Commission recommends Council adopt the requested zoning map amendment by ordinance.

Proposed Motion: I move to uphold the recommendation of the Planning Commission and refer Bill No. ____ for a second reading and adoption.

Attachments:

Ordinance

Case Maps

Exhibit A - Planning Commission Staff Report