



MINUTES

Regular Meeting

Reno City Planning Commission

Wednesday, February 05, 2025 • 6:00 PM

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

Commissioners			
Kerry Rohrmeier, Chair 326-8864			
Silvia Villanueva, Vice Chair	326-8863	J.D. Drakulich	326-8861
Manny Becerra	326-8860	Alex Velto	326-8858
Christina Del Villar	326-8862	Vacant	326-8859

1 Pledge of Allegiance

Commissioner Velto led the Pledge of Allegiance.

2 Roll Call

All present at roll call.

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

Anne Evans
Lisa Hill
Chantel Dominguez
Nick

4 Approval of Minutes (For Possible Action)

4.1 Reno City Planning Commission - Regular - January 15, 2025 6:00 PM
(For Possible Action)

It was moved by Alex Velto, seconded by Christina Del Villar, to approve. Motion Pass.

RESULT:	Approve [6 TO 0]
MOVER:	Alex Velto, Commissioner
SECONDER:	Christina Del Villar, Commissioner

AYES:	Becerra, Del Villar, Drakulich, Rohrmeier, Velto, Villanueva
NAYS:	
ABSENT:	
ABSTAIN:	
RECUSED:	

5 Presentation, discussion and possible recommendation to encourage City Council to adopt a moratorium on the filing and issuance of permits for data centers. (For Possible Action - Recommendation to City Council)

Mike Railey, Planning Manager, provided a brief introduction and stated this item was put on the agenda at the request of Commissioner Becerra. He also clarified that only the City Manager and City Council have the ability to initiate a moratorium so this would be a recommendation to City Council. Staff will summarize the outcome of this meeting and attach it to the staff report to be presented to City Council on February 26, 2025. At that meeting, City Council will be considering initiating a text amendment to the code to address data centers.

Commissioner Becerra gave a presentation proposing a resolution to encourage City Council to adopt a moratorium on issuing permits for data centers in order to study their impacts and prepare new policies or regulations for data centers.

Disclosures:

Spoke with EDAWN, TMRPA, read and reviewed materials from the public, read emails, spoke with Sierra Club, employed at the Nature Conservancy, spoke with constituents, spoke with City staff.

Public Comment:

Bill Miller
Ruth Flack
Bobbie Ma
Nancy Ann Leeder
Jordyn Dashiell
Bari Levinson
Cathy Fulkerson
Robbin Palmer
Olivia Tanager
Zack Hooker
Bob Blackstock
Mattie Casey

Written comments received were included in the record.

Commissioner Velto acknowledged that data centers raise legitimate land use, energy use, and environmental concerns that deserve thoughtful discussion. This type of resolution and discussion is more appropriate for the City Council or a neighborhood advisory board. The Planning Commission is not a political body but is a fact-finding body that applies established law and determines whether there is substantial evidence to make certain findings under NRS 278. It is very important we maintain

impartiality and passing a resolution that predisposes us and tells the public how we feel about a certain type of land use will only be used against us. He expressed concern regarding potential legal implications of taking a stance against data centers. He also expressed concern that the Planning Commission does not have the authority to make resolutions to another body. City Council makes policy decisions and tells the Planning Commission what the policies are, not the other way around.

Commissioner Drakulich discussed the importance of impartiality and stated he does not support the resolution.

Commissioner Becerra stated we are an advisory/recommending body. What is before us is a recommendation for consideration of a resolution for City Council to take a pause on issuing permits for data centers. We are not mandating or making policy, but we are advising. Every single meeting we are all required to be impartial and I trust that we are impartial.

Commissioner Villanueva stated we are an advisory board. We are not necessarily the last stop so there are always options for the applicant to go to City Council. A resolution like this does not prohibit us from being able to be impartial to the fact-finding process. This allows us to provide a recommendation to City Council to do a deeper dive into the impacts of data centers. Presenting this resolution to City Council does not create any bias or impact due process rights.

Commissioner Del Villar stated she is not here to make policy and that is not what this is about. She is not opposed to data centers or growth but there is a lack of policy and guidelines. Each of the data centers that come before us should be looked at individually. This is just putting a pause so we can come up with some guidelines and policies that will help mitigate some of the issues that have been brought up. She expressed concern about fire protection and the safety of our citizens as it relates to data centers and we need to understand it better.

Chair Rohrmeier noted the number of people that showed up for issues on data centers and the hours people have put into this topic and stated it is impressive and significant. We are talking about a recommendation for a resolution, this body is not taking a vote on a resolution. We look to our City Council to give direction to staff to address these planning issues. That direction never took place here and that is why we are asking for that kind of dedication of resources of staff to do the work that needs to be done. In terms of impartiality, I voted twice to approve data centers based on the facts presented. My ability to make sound decisions going forward will not be limited if Council decides a moratorium is not appropriate. This is an opportunity to have high standards for our city. There is considerable literature and scholarship around what makes good planning that has not been considered here. Energy and climate are generally the issues of our time and I don't want to give it all away at the expense of the longer good future of our city.

Commissioner Velto stated he believes the statements made about being able to be impartial but it doesn't matter what we think. What matters is what a future court looking at our record would think. This deserves a discussion but I disagree about how it is done. He expressed concern that the process will result in future decisions that are disadvantageous to your goals. If there are future data centers that end up failing before this commission, do not be surprised if this is referenced in future cases where

people are arguing that we weren't impartial.

Chair Rohrmeier asked for legal input.

Karl Hall, City Attorney, stated he agrees with Commissioner Velto. Everything that is on the public record will be used if we end up in litigation. In these cases, Commissioners have to look at the findings and have some facts that support your findings on conditional use permits. With respect to this particular item, it is a recommendation to City Council. If you want to make a recommendation to City Council, then make a recommendation and if I end up in litigation on a future data center, which I probably will, then we'll deal with it.

Commissioner Villanueva discussed her past votes against data centers and stated the reasons she voted no could be ultimately mitigated thereby allowing her to begin voting yes moving forward, if we address the issues that need to be mitigated. I have no issues with voting yes on data centers if we can make the circumstances more appealing to allow me to vote yes. I don't think this will impact impartiality one way or the other.

Commissioner Becerra asked Commissioner Velto what in his mind would be a better path to take, and if that is something that would happen anytime soon.

Commissioner Velto stated the better path is to go to a neighborhood advisory board and bring this to City Council through that. Then it would not impair the impartiality of the Planning Commission and allows us to vote on future data centers without this being used against us in the event of litigation. Another option would be going directly to a City Council Member and getting them to sponsor a proposed resolution.

Commissioner Becerra stated he appreciates that but thinks it is semantics at this point. He reiterated what he is proposing here.

Mr. Railey confirmed for Commissioner Becerra that they do not currently have any data center applications filed under the current administrative interpretation.

Commissioner Drakulich asked Mr. Railey if there is any appetite from City Council or staff to engage with a moratorium on data centers.

Mr. Railey stated City Council has asked staff to put together a report to potentially initiate a text amendment to code to further address data centers. That meeting will occur on February 26 and that is where staff will take any formal direction they give.

Commissioner Drakulich stated he wants to hear more communication from City Council or staff on this. What I am seeing with this resolution is that it feels very performative because that is going to go to City Council. He expressed concern regarding some of the proposed language and does not support the resolution in general.

Chair Rohrmeier stated for the people present that this is not a performative exercise and thanked them for their time.

Commissioner Becerra stated this is just a recommendation and he expects further deliberation at the City Council level with further public input so the language gets finessed. He agreed that this is not performative and stated it is part of their duty and responsibilities.

Commissioner Drakulich clarified he did not mean his comment in a condescending manner and stated he believes there is no appetite for this at the next level and it would risk putting themselves in jeopardy. He agreed with Commissioner Velto that there is a better avenue for this.

Commissioner Velto expressed concern regarding the language in the proposed resolution being a policy stance about a type of land use rather than being focused on the need for better code to help in evaluating data centers.

Commissioner Becerra indicated the specific language can be changed. What is missing is there is a lack of ownership. We have been here for two months now with no feedback. City Council knows this has been a struggle, why isn't it before us already. So, we are taking ownership within our purview.

Commissioner Velto stated he would feel better about this if they were just asking if City Council would consider looking at the code to provide extra guidance. That is more consistent with our job.

Chair Rohrmeier stated she believes they have been asking for that very thing for two months.

Commissioner Villanueva agreed and stated they asked specifically about data centers and gave recommendations when staff presented Title 19 before it was brought to City Council and that was never actually presented to City Council.

Commissioner Velto suggested limiting the language to ask for code modifications to help us better evaluate data centers and get away from the policy aspect of it.

Mr. Railey clarified his earlier response to the question regarding whether there are any data centers currently under review. There are none that will come before this board. One data center that was denied has been appealed and will be heard by City Council in March.

Commissioner Becerra asked if the text amendments that will be considered by City Council will address the issues we have been experiencing and asking for guidance on for the last two months.

Mr. Railey explained the subject of data centers was brought up and there was a desire to have further discussion, which is why it is coming back to City Council for discussion with the potential to do a text amendment. Regardless of what happens here today, all of the discussion that has taken place will be included in the staff report that is presented to City Council.

Chair Rohrmeier stated she would support a recommendation to have a text amendment on the premise

that is comes back to the Planning Commission before it goes to City Council.

Commissioner Velto stated he is still concerned about the Planning Commission doing resolutions. In the interest of compromise, he would be in support of a recommendation to City Council that if they proceed with a text amendment, the Planning Commission would get a chance to review that text amendment.

Mr. Hall confirmed for Mr. Railey that any text amendment initiated by City Council would come back before the Planning Commission for input prior to a final adoption by City Council.

Chair Rohrmeier expressed concern that the Planning Commission feedback on text amendments doesn't seem to get incorporated. If there is a way they can have real substantial input on these text amendments, that would be a nice alternative to the resolution, but she is comfortable with the resolution as written.

It was moved by Manny Becerra, seconded by Silvia Villanueva, to adopt a resolution encouraging the Reno City Council to consider a temporary pause on the filing and issuance of new permits for data centers as presented and filed with the secretary of record for this evening's public hearing. Motion Pass.

RESULT:	Approve [4 TO 2]
MOVER:	Manny Becerra, Commissioner
SECONDER:	Silvia Villanueva, Commissioner
AYES:	Becerra, Del Villar, Rohrmeier, Villanueva
NAYS:	J.D. Drakulich, Alex Velto
ABSENT:	
ABSTAIN:	
RECUSED:	

6 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.

- 6.1 Staff Report (For Possible Action): Case No. **LDC25-00034 (Arnett Storage Building CUP)** - A request for a conditional use permit has been made to allow for the expansion of a nonconforming indoor manufacturing, processing, assembly, or fabrication use and building expansion and nonresidential development adjacent to residential zoning. The ±1.27 acre project site is located ±80 feet southeast of the intersection of Sutro Street and Sun Villa Boulevard (3010 Sutro Street). The site is within the Multi-Family Residential – 21 units per acre (MF-21) zoning district and has a Master Plan land use designation of Suburban Mixed-Use (SMU). **[Ward 4]**

Jeff Foster, Associate Planner, gave the staff presentation.

The applicant did not have a presentation but was available to answer questions.

Disclosures:

Reviewed materials, familiar with or visited the site, spoke to people in the nearby church.

Public Comment:

None

Questions:

Commissioner Villanueva asked about the nonconforming component.

Mr. Foster explained that the existing use is nonconforming. Expansion of a nonconforming use requires the approval of a conditional use permit.

Commissioner Del Villar stated she had concerns regarding construction hours and the nearby uses but believes those are addressed with Condition Number 5.

It was moved by Manny Becerra, seconded by Christina Del Villar, to approve the conditional use permit, subject to the conditions listed in the staff report. Motion Pass.

RESULT:	Approve [6 TO 0]
MOVER:	Manny Becerra, Commissioner
SECONDER:	Christina Del Villar, Commissioner
AYES:	Becerra, Del Villar, Drakulich, Rohrmeier, Velto, Villanueva
NAYS:	
ABSENT:	
ABSTAIN:	
RECUSED:	

- 6.2 Staff Report (For Possible Action): Case No. **LDC25-00029 (Rocket Batteries)** - A request has been made for a conditional use permit to allow a warehouse and distribution center use. The ±1.03 acre site is located on the north side of Mill Street approximately ±200 feet west of its intersection with Terminal Way (2675 Mill Street). The site is located in the Mixed-Use Urban (MU) zoning district and has a Master Plan land use designation of Urban Mixed-Use (UMU). **[Ward 3]**

Jeff Foster, Associate Planner, gave the staff presentation.

Disclosures:

Familiar with the site, spoke to company representatives.

Public Comment:

Phil Fleischmann

Questions:

Chair Rohrmeier asked staff to respond to public comment questions.

Mr. Foster stated there was nothing in the staff report specific to battery storage and containment, however the agencies all had a chance to comment.

Mike Railey, Planning Manager, confirmed that the Reno Fire Department, Environmental Services, and Health Department are all reviewing agencies of this application and they had no recommended conditions of approval.

Mr. Railey confirmed for Commissioner Becerra that no trucks would be extending into the right-of-way or blocking pedestrian circulation on Mill Street.

Mr. Foster confirmed for Commissioner Del Villar that the site has been a warehouse for at least 25 years. Rocket Batteries has been on the site since 2024.

It was moved by Christina Del Villar, seconded by Manny Becerra, to approve the conditional use permit, subject to the conditions listed in the staff report. Motion Pass.

RESULT:	Approve [6 TO 0]
MOVER:	Christina Del Villar, Commissioner
SECONDER:	Manny Becerra, Commissioner
AYES:	Becerra, Del Villar, Drakulich, Rohrmeier, Velto, Villanueva
NAYS:	
ABSENT:	
ABSTAIN:	
RECUSED:	

- 6.3 Staff Report (For Possible Action): Case No. **LDC25-00032 (Cornelius Fence Height Deviation)** – A request has been made for a major deviation to increase the maximum fence height in a front yard along Rosehill Court from four feet to six feet. The ±0.44 acre site is located on the southwest corner of Mira Loma Drive and Rosehill Court (5320 Mira Loma Drive). The site is located within the Single Family – 3 units per acre (SF-3) zoning district and has the Master Plan land use designation of Single-Family Neighborhood (SF). **[Ward 3]**

Carter Williams, Associate Planner, gave the staff presentation.

The applicants, Leslie and Paul Cornelius, gave a brief statement.

Disclosures:

Read emails, familiar with the site.

Public Comment:

Phil Fleischmann

Questions:

Mr. Williams answered questions from the commission and explained there is an existing fence that needs to be replaced. The homeowner began to install a fence without a permit and is now applying for the permit. The City Code Enforcement Department does their enforcement on a complaint-by-complaint basis. Across the city, including this neighborhood, there are situations where fences are installed without permits. He confirmed a complaint was received that led to this applicant being cited. He also answered questions regarding the application and the analysis done by staff.

Discussion:

Commissioner Velto quoted Robert Frost stating good fences make good neighbors. This is a good fence and he doesn't see any of the concerns raised during public comment being particularly persuasive. He does not see this impacting nearby properties, it enhances the overall design, it is not detrimental to the public, and he can make all the findings.

Commissioner Becerra agreed with Commissioner Velto.

Chair Rohrmeier disagreed and stated a 100 foot long fence right along a sidewalk with no greenery is a detriment because street trees would be required by the City of Reno every 20 or 30 feet. The canyon effect is a real thing, but they have permission from their neighbors and the existing situation is not ideal.

Commissioner Becerra asked if there are landscaping conditions that would address the concerns discussed by Chair Rohrmeier.

Mr. Williams explained the landscaping requirements for subdivisions and corner lots in particular. He would not recommend adding a condition for additional trees for this lot.

Commissioner Villanueva stated this issue was not created by the homeowners. We don't typically like hillside development because issues like this arise. With respect to this particular application, it would be appropriate to allow the fence.

It was moved by Alex Velto, seconded by J.D. Drakulich, to approve the major deviation, subject to the conditions in the staff report. Motion Pass.

RESULT:	Approve [6 TO 0]
MOVER:	Alex Velto, Commissioner
SECONDER:	J.D. Drakulich, Commissioner
AYES:	Becerra, Del Villar, Drakulich, Rohrmeier, Velto, Villanueva
NAYS:	
ABSENT:	
ABSTAIN:	
RECUSED:	

7 Recommendation to City Council for Appointment to the Truckee Meadows Regional Planning Commission from the members of the Reno City Planning Commission to fill a vacant position: J.D. Drakulich, Christina De Villar, Silvia Villanueva, Manny Becerra (For Possible Action - Recommendation to City Council)

It was moved by Silvia Villanueva, seconded by J.D. Drakulich, to appoint Commissioner Del Villar to the Truckee Meadows Regional Planning Commission. Motion Pass.

RESULT:	Approve [6 TO 0]
MOVER:	Silvia Villanueva, Commissioner
SECONDER:	J.D. Drakulich, Commissioner
AYES:	Becerra, Del Villar, Drakulich, Rohrmeier, Velto, Villanueva
NAYS:	
ABSENT:	
ABSTAIN:	
RECUSED:	

8 Truckee Meadows Regional Planning Liaison Report

Commissioner Rohrmeier was appointed as Chair of the Regional Planning Commission in place of Commissioner Armstrong. At the last meeting there was a presentation on data center and an update on the Regional Trails Plan.

9 Staff Announcements

- 9.1 Report on status of Planning Division projects.
- 9.2 Announcement of upcoming training opportunities.

- 9.3 Report on status of responses to staff direction received at previous meetings.
- 9.4 Report on actions taken by City Council on previous Planning Commission items.

City Council upheld the recommendation for approval of the Carville zoning map amendment. City Council also heard three appeals. They upheld the Planning Commission's decision and denied the appeal on the Web Data Center; they overturned the Planning Commission's denial of the 7th Street tentative map and approved the applicant's appeal; and the Plumas Redevelopment Lakeridge Development item was continued to allow the applicant more time to address Council and neighborhood concerns. The Western Road zoning map amendment approved at the last Planning Commission meeting will go to City Council for consideration next week. At their next meeting they will appoint a new Planning Commissioner to replace Commissioner Armstrong.

NV Energy has declined a request to give a presentation on their planning for data centers.

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

None

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

None

12 Adjournment (For Possible Action)

The meeting adjourned at 8:41 p.m.