



MATER ACADEMY
— of Northern Nevada —

Mater Academy N. NV

Response to Appeals of
Minor Conditional Use Permit Application
MUP24-00010
North Hills Blvd Reno, NV 89506

Reno City Council
July 24, 2024

Background of Mater Academy N. NV

Mater Academy of Northern Nevada was founded in 2017 as a public K-8 charter school under NRS 388A.

- 22-23 school year: MANN was the highest ranking public title middle school and second highest ranking public title elementary school in Washoe County, with a 3-star ES/ 3-star MS on its NV report card.
- 23-24 school year: MANN's data is looking great (star ratings not yet issued though)

As a Nevada Public Charter School:

- Charter application was approved by the State; Application was created by its Board of Directors.
- MANN Board of Directors consists of local professionals, educators, parents, and community leaders
- FREE to attend: no tuition; exclusively publicly funded based on per pupil funding
- Fair & open admission process for all families – a random lottery used if more applicants than seats
- All teachers have a current Nevada Teacher's License

Background of MUP24-00010

APN 088-201-58

±10.62 acre parcel (currently undeveloped) on the southeast corner of the intersection at North Hills Blvd. and Beckwourth Dr.

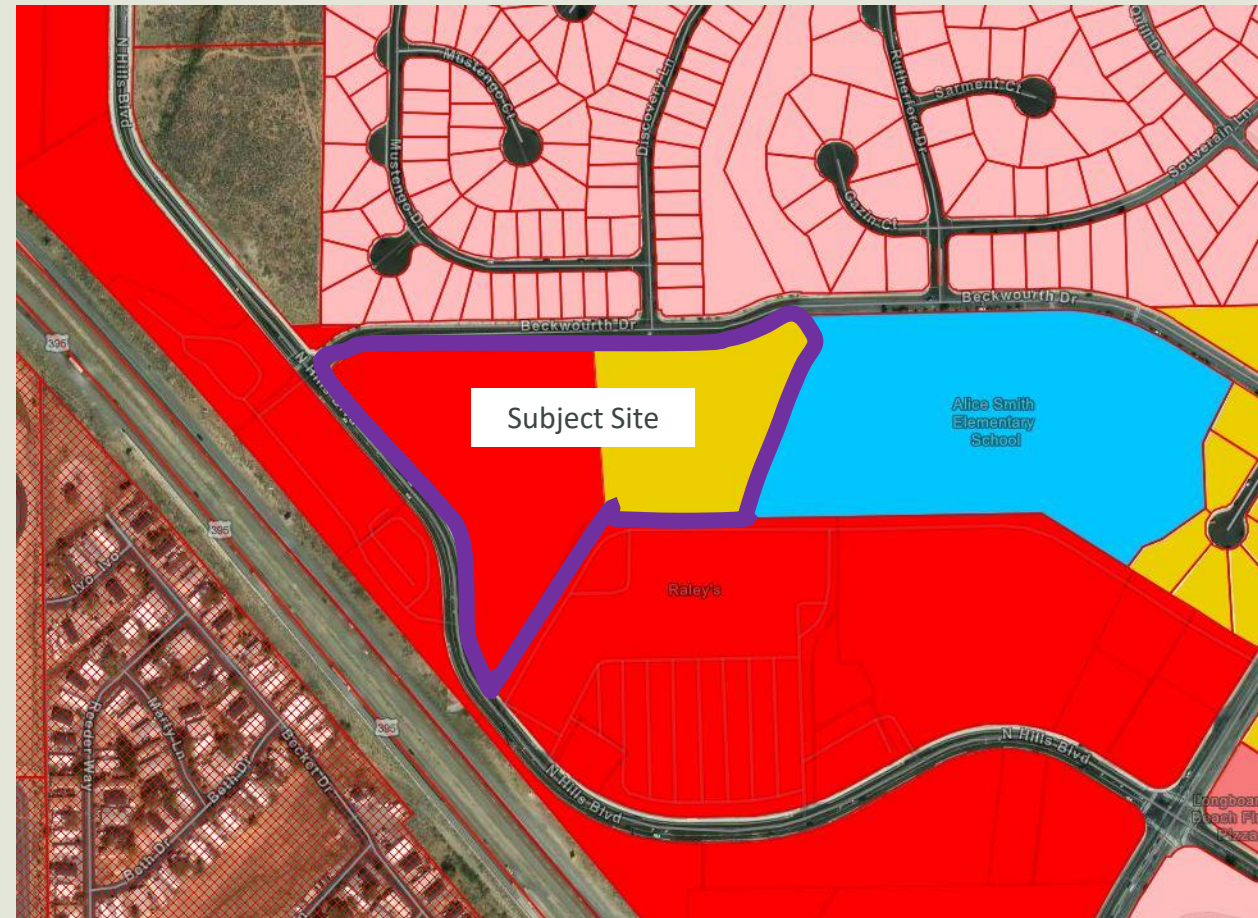
Zoned:

General Commercial (GC) on the western portion;
Single-Family Residential-3 units per acre (SF-3) on the eastern portion

Master Plan Land Use Designation:
Suburban Mixed-Use (SMU)

Surrounding Uses:

Alice Smith Elementary School to the East, residential housing to the North, and General Commercial uses to the West and South



Background of MUP24-00010

Trivest Land Company Inc., the Applicant, submitted a Minor Conditional Use Permit application to allow for the development of a new primary/secondary (K-12) school campus which is:

- Adjacent to a residential zoning;
- Partially located in SF-3 zoning;
- Partially located in GC zoning; and
- Fully compliant with the Reno Master Plan

Development Services Department approved the Application on June 3, 2024, with 24 conditions of approval.

Proposed Project

The proposed public school campus includes a two-story school and a single-story gymnasium.

Phase I (est. Aug. 2025):

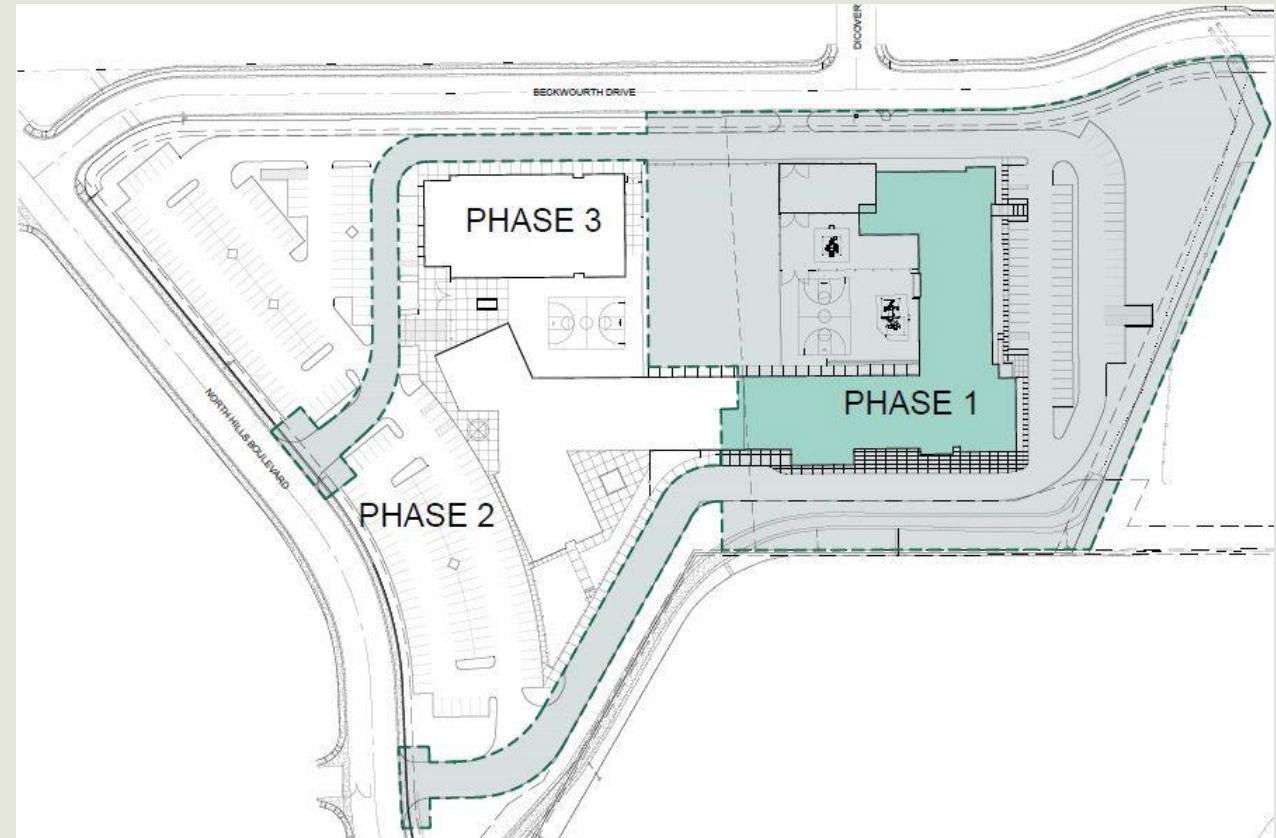
Two-Story Elementary and Middle School to accommodate 786 students and 67 employees, an Administrative Area, a 950-User Capacity Multi-Purpose Room, and a Playground Area.

Phase II:

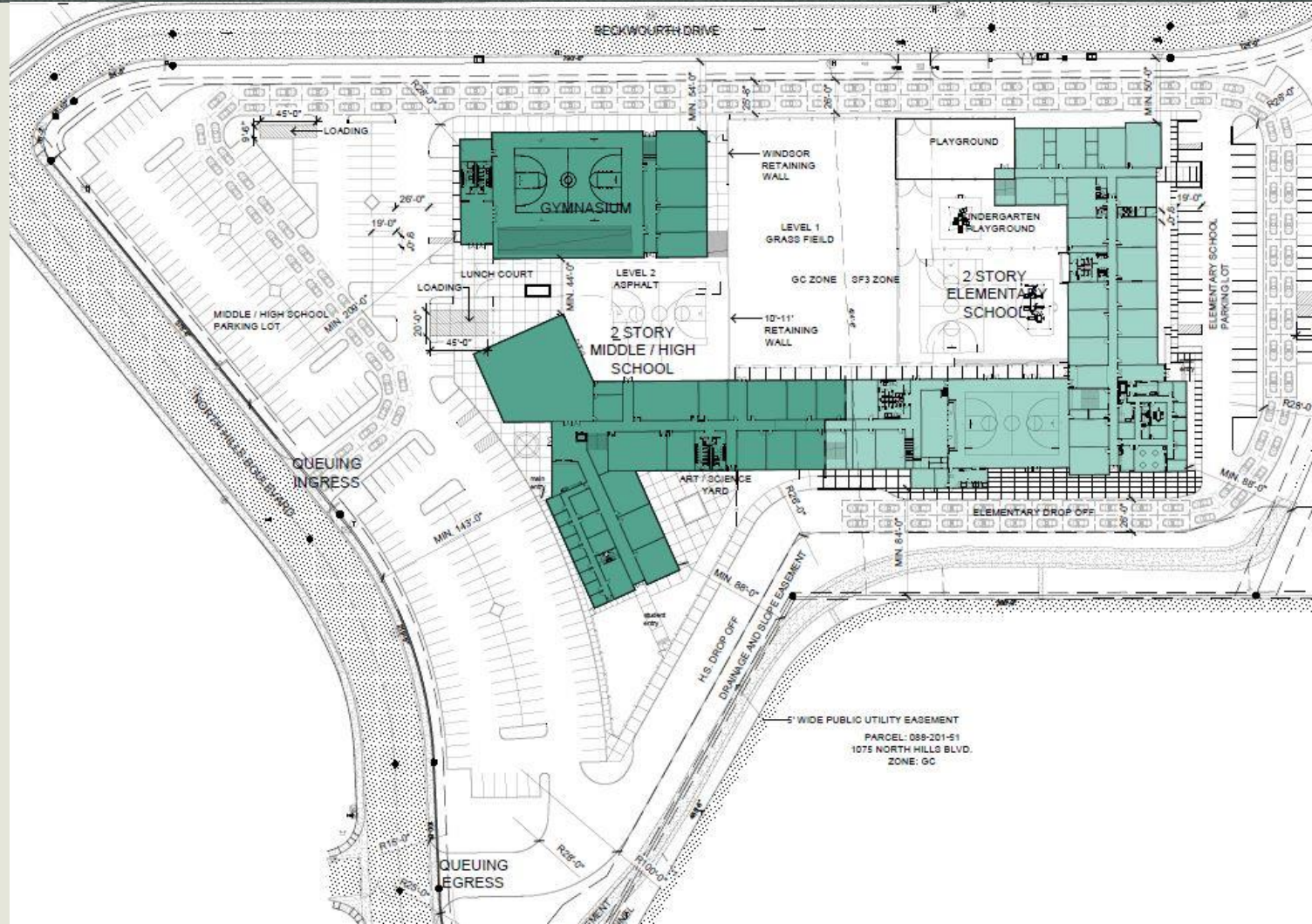
Addition to include a Two-Story High School for an additional 786 students and 45 employees.

Phase III:

850-User Capacity Gymnasium



Project Site Plan



Appeals of Minor Conditional Use Permit

5 Appeals Filed

Nevada State Education Association (Christopher Daly)

Washoe Education Association (Earl Spriggs)

Washoe County School District (Adam Searcy, COO)

Ashley Robbins (teacher at Alice Smith Elementary School)

Erika Bowling (teacher at Alice Smith Elementary School)

Appeals of Minor Conditional Use Permit Standing

Administrative decisions of permit applications, including a Minor Conditional Use Permit, may be appealed to the City Council under RMC 18.08.307(j)(1)(a)(2).

RMC Chapter 18.09, Article 4, defines an “aggrieved person” as “one whose personal right or right of property is adversely and substantially affected by the action of a discretionary body” (emphasis added).

RMC 18.08.307(j)(1)(b)(2) requires: “The written notice of appeal must briefly specify the grounds of the appeal...”

Appeals of Minor Conditional Use Permit

Standard of Review

RMC 18.08.307(j)(1)(d)(1) provides: “The City Council shall be guided by the statement of purpose underlying the regulation of the improvement of land expressed in NRS 278.310 to determine whether the Administrator committed an abuse of discretion” (emphasis added).

“A decision that lacks support in the form of substantial evidence is arbitrary or capricious’ and, therefore an abuse of discretion.” *Tighe v. Las Vegas Metro. Police Dep’t*, 110 Nev. 632, 634, 877 P.2d 1032, 1034 (1994). Here, the Administrator based its approval on substantial evidence presented as a part of the application process and therefore did not abuse its discretion.

Appeals of Minor Conditional Use Permit Substantial Evidence

“Substantial evidence is that which a reasonable mind might accept as adequate to support a conclusion.” *City of Las Vegas v. Laughlin*, 111 Nev. 557, 558, 893 P.2d 383, 384 (1995).

“... when private property is denied the uses for which it is zoned, any such denial must be based upon meaningful, reasonably complete factual information.” *Tighe v. Von Goerken*, 108 Nev. 440, 444, 833 P.2d 1135, 1137 (1992).

Traffic Study Findings

Lochsa Engineering conducted a Traffic Impact Study in September 2023 for the Project Site. The findings include:

At full buildout of the school, the project is projected to generate:

- 892 AM Peak Hour Trips – 7:00 a.m. to 9:00 a.m.
- 756 PM (afternoon bell) Peak Hour Trips – 2:00 p.m. to 4 p.m.
- 242 PM Peak Hour Trips – 4:00 p.m. to 6:00 p.m.

The AM and PM times are standard for typical traffic studies, and the afternoon bell time is specific for schools.

Traffic Mitigation Factors

Traffic safety comments from WCSD Safer Routes to Schools were not ignored.

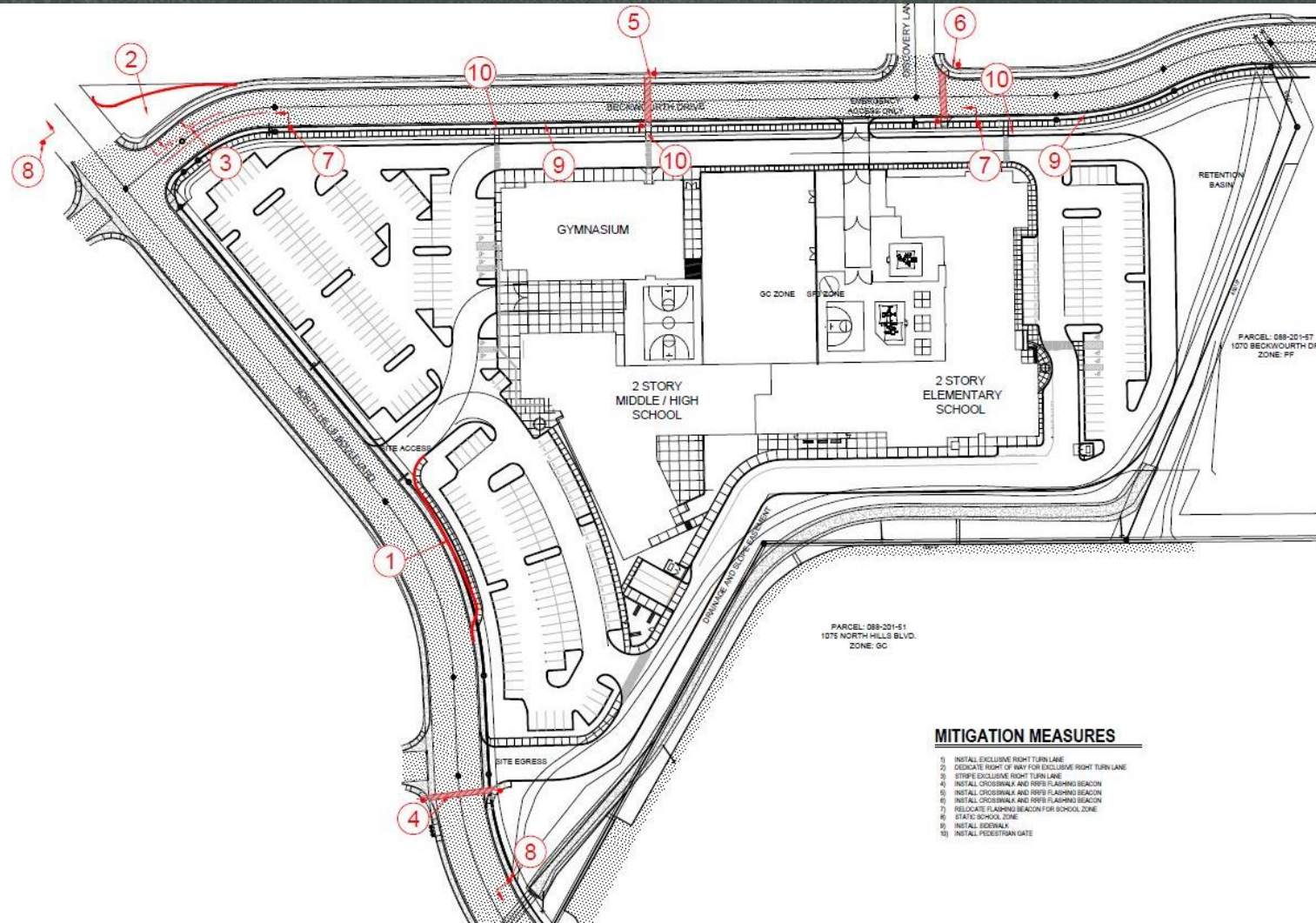
Discussions with City Staff resulted in the following required traffic elements (among others on the next slide):

- School Zone overhead mast arm flashers
- Rectangular Rapid Flashing Beacons (RRFBs) at crosswalks
- Sidewalk additions and overhead lighting; and
- On-site bike storage

Traffic Mitigation Factors

- Primary access from two points along North Hills Boulevard, one for egress and the other for ingress. There is no direct access to/from Beckwourth.
- 148 car on-site circulation loop for pickup/dropoff queueing, taking cars off public roadway.
- Prior to issuance of a certificate of occupancy for Phase I, the Applicant shall demonstrate to the City Engineer that all off-site improvement recommended in the traffic study are installed (Condition No. 22).
- Alice Smith Elementary School operates from 9:30 a.m. to 3:30 p.m. (2:45 p.m. on Wednesdays). Mater Academy start times will be offset by at least 30 minutes (Condition No. 20).
- Mater Academy's proposed elementary, middle, and high school shall have bell times separated by at least 30 minutes (Condition No. 20).
- Student drop-off will begin at least 30 minutes prior to start of class (Condition No. 21).

Traffic Mitigation Plan



Applicant's Request

Applicant requests the City Council to affirm the approval of the Minor Conditional Use Permit in Case No. MUP24-00010 with the conditions of approval as issued on June 3, 2024 and deny all appeals.

Questions?

Thank you for your consideration. Questions?

