

RESULT:	Continued [7 TO 0]
MOVER:	Mark Johnson, Commissioner
SECONDER:	Silvia Villanueva, Commissioner
AYES:	Velto, Johnson, Drakulich, Gower, Munoz, Villanueva, Armstrong
NAYS:	
ABSENT:	

- 4.3 Staff Report (For Possible Action): Case No. **LDC23-00025 (Riviera Planned Community)** – A request has been made for a tentative map to establish a five-lot single-family attached (condominium) subdivision and associated common areas. The ±0.31 acre project site is located southeast of Riviera Street, ±75 feet from its intersection with Idlewild Drive. The project site is located within the Multi-Family Residential – 14 units per acre (MF-14) zoning district and has a Master Plan land use designation of Mixed Neighborhood (MX). **[Ward 1]**

Mike Vicks, Monte Vista Consulting, gave an overview of the project.

Don Clark, Cathexis, also provided an overview.

Carter Williams, Assistant Planner, presented staff analysis and recommended approval.

Disclosures: read and received correspondence, familiar with the site

Public Comment:

Eric Robbins (not present when called to speak)

Tim Hosfeldt

Jennifer Matilainen

Fred Contreras

Anna O'Bryan

Scott Wright

Dalen O'Bryan

Nathanial Vass

Tina Dils

Jennifer Heeran

Norman Huckle

Mike Matilainen

There were two Request to Speak forms submitted after the vote:

Barbara A. Siemann

Kim Malfa

Questions:

Mr. Clark explained for Commissioner Gower there was not an extensive outreach process. They did go through the NAB meeting public process and felt they had addressed the comments received in that process. They did not meet with the neighbors. It is designed within the standards. He clarified that the roof area that is being called a roof deck is actually not a deck on top of the building. It is tucked in the middle and only faces the street.

Mr. Williams confirmed for Commissioner Johnson that this could be an apartment complex by right and the reason it is being seen by the Planning Commission is because it is being broken into a tentative map for individually sold units. He also confirmed that the building height and setback requirements would be the same. A large two-story building could be built 20 feet from the property line in the back by right.

Mr. Williams explained for Commissioner Johnson that currently stormwater flows are directed to adjacent properties. With the grading of the lot and the inclusion of the infiltration basin most of the stormwater flows will be directed to the street to connect with existing facilities.

Mr. Williams explained for Commissioner Johnson that a sanitary sewer letter was submitted with the application that identified that the impacts would not trigger a full report to be submitted and that was accepted by the engineering division.

Mr. Vicks explained for Commissioner Johnson where the trash enclosure would be located on the site.

Mr. Clark further explained that the trash receptacles will be screened completely from the neighbors.

Mr. Vicks confirmed for Commissioner Johnson that an HOA will govern snow removal and landscape maintenance.

Mr. Williams explained for Commissioner Villanueva what the process is for something that is permitted by right. This agenda item is a request for a tentative map for a subdivision of the parcel so that there is an opportunity for individual ownership.

Mr. Williams answered questions from Commissioner Villanueva regarding the proposed building height and explained that code contemplates a trigger for considering shadowing on development that exceeds 35 feet. This project building cannot exceed 35 feet in height.

Mr. Williams confirmed for Commissioner Villanueva that the hours of operation for construction starting at 7:00 a.m. is standard but can be modified.

Mr. Williams explained for Commissioner Villanueva that ADA parking is not required for single-family residences and is not proposed. Parking requirements are being met in this proposal.

Mr. Williams explained for Commissioner Armstrong there is no code requirement for privacy. It is not related to the findings for this request and is not something staff analyzes. Regarding compatibility, there are wall articulation standards built into code. Most areas in the city don't have a specific design style that needs to be met to address compatibility. From staff's perspective we are looking at whether the building meets articulation elements and streetscape standards.

Mr. Clark explained for Commissioner Munoz that going this route instead of building what would be allowed by right would raise the value of the property. By doing them as condos the quality of construction and materials is higher, including the maintenance and ongoing care of the property.

Mr. Clark explained the proposed underground parking for Vice-Chair Drakulich.

Mr. Clark explained for Commissioner Villanueva they would likely want to stay with the normal construction hours that are applied across the city and not reduce those hours. He also answered questions regarding the proposed design and stated they tried to pay attention to the impact it would have on the neighborhood.

Mr. Williams confirmed for Commissioner Gower that Joey Winter from the City of Reno was present for the NAB meeting on this item. Mr. Williams stated he did not receive any comments from the NAB members.

Discussion:

Commissioner Gower stated he does not have any concerns with making the findings for the proposal itself. He expressed concern about feeling blindsided with the community objection to the project. The NAB process is intended to provide an opportunity for the community to voice concerns and have a conversation with the developers to hopefully resolve some of the concerns. The proposal is within the right and is less intense than what can be built on the property. There is a missed opportunity here for the project proponent to be a good neighbor and have these conversations ahead of time.

Jason Garcia-LoBue, Planning Manager, explained the Development Services review process. There were NAB comments submitted through that process and staff addressed some of those. More comments were heard tonight.

Commissioner Velto stated he was also surprised by the comments from the public tonight but is not sure the Planning Commission can hold that against the applicant given that they did attend the NAB. He stated he can make all of the findings based on what is permitted by right and this is a less intense project. A lot of the concerns from the neighbors would still exist and might be worse if the applicant were to build what is allowed by right instead of what they are proposing.

Commissioner Johnson stated there were at least a half dozen comments provided in the meeting packet from the NAB so he is not surprised by the opposition tonight. The biggest concern is compatibility. This could have been designed any number of ways but the standards for the city would not have allowed this building to look like the buildings across the street or the single family buildings next to it. The articulation standards require the in and outs, ups and downs, and material changes. As long as it meets code, holding the aesthetics against the project is not something that we as a commission can really do. We are not looking at a zone change and what is allowed in the existing zone could be worse than what is proposed. It is the kind of project that we are typically asking for at this commission.

Discussion after the motion:

Commissioner Munoz stated he is empathetic on this. He agreed that this checks all the boxes but nobody wants a larger building right behind them. There are findings we have to go by and we don't have a choice on that. Regarding compatibility, he stated I do not like the way it looks but that is my opinion and I am not allowed to put my opinion in this. I do agree with the commissioners but not as willingly as I'd like to.

Motion to approve passed and Vice-Chair Drakulich read the appeal process into the record.

It was moved by Alex Velto, seconded by Silvia Villanueva, to approve. Motion Pass.

RESULT:	Approved [6 TO 1]
MOVER:	Alex Velto, Chair
SECONDER:	Silvia Villanueva, Commissioner
AYES:	Velto, Johnson, Drakulich, Gower, Villanueva, Armstrong
NAYS:	Arthur Munoz
ABSENT:	