

3-8-2023 - Reno City Council Meeting - Item # 1.1 LDC23-00025 (Riviera Planned Community) Appeal

[illegible]



Public Comment <publiccomment@reno.gov>

External - public comment for City Council meeting 3/8/23, 6 PM, agenda item I.1. (appeal LDC23-00025)

1 message

Christine Hoverman <christine.hoverman@yahoo.com>

Mon, Mar 6, 2023 at 6:23
AM

To: "PublicComment@reno.gov" <PublicComment@reno.gov>

I write in support of the appeal of the Planning Commission's approval of application LDC23-00025 (Riviera Planned Community) (APN 010-083-10; address 2100 Riviera). I own the single family home next door to the subject property (APN 010-083-09, address 2120 Riviera). My tenant who resides in the home has lived there since 2015, and my tenant's rights (and all tenants' rights) will be significantly and negatively affected by the proposed project.

The Planning Commission committed reversible error when it declined to exercise the powers and duties conferred on it. For this reason, the City Council

must either reverse the Commission's approval of the application or remand for further consideration.

The Planning Commission shirked its duties in denying that it had authority to deny the application, and likewise failed to take sufficient consideration of the impact on the neighborhood. For example, at the January 18, 2023, meeting of the Planning Commission, Commissioner Johnson acknowledged that his “biggest concern” was “compatibility,” but denied that he could do anything about it. Commissioner Munoz stated that the Commission had to go by the findings and had no choice. Regarding compatibility, he added that he does not like the way the proposed buildings look but that he could not insert his opinion. (Minutes of the January 18, 2023, meeting before the Reno Planning Commission (hereinafter referenced as “Minutes”).)

The Planning Commission is seated for the very purpose of offering its opinions on such matters as the “future physical planning and economic development of the City” and “urban planning” including housing, community design, population, and land use. (See “Purpose” and “Typical Duties” of Planning Commission, <https://www.reno.gov/government/boards-commissions/d->

[r/planning-commission.](#)) It is unequivocally within its duties to fully consider all elements of the proposed project including conformity and impact on rental housing, tenants, and all other housing matters.

At the January 18 meeting, Assistant Planner Carter Williams took the position that the Planning Commission lacked authority to deny the application because the project could be built “as a matter of right.” Not so. The applicant could not construct such a project as a matter of right because it is not constructing a single building to be sold as a unit. It is trying to subdivide land, which only the Planning Commission can allow. Mr. Williams acknowledged this fact at the meeting when he explained 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 in a tentative map for individually sold units.” (Minutes.) To make it crystal clear, he emphasized that this project is for a subdivision on Riviera Street. (Minutes.)

The applicant is attempting to build a mini-neighborhood on Riviera Street and sell off the mini-homes as separate properties. It cannot do so as a matter of right. Therefore, the Planning Commission is indeed the proper body to

consider the project and its ramifications and is authorized by its duties to insert opinions on a vast range of housing-related subjects. Subdivisions are explicitly in the Planning Commission's purview and cannot be built without its approval. (Annexation and Land Development Code of the City of Reno, Reno subdivision ordinance, sec. 18.08.701(b) ("The purpose of this article is to promote the public interest in careful land use planning before a land division is approved or boundaries adjusted."))

Reno has a shortage of rentals. Several members of the Reno City Council and at least one member of the Planning Commission who ran for City Council in the last election frequently make public comments about their desire to help tenants. The planned project not only fails to help create more rentals, it takes away the possibility of creating a rental project on the land and instead substituting that possibility with 5 higher-end condos. To make matters even worse, the proposed project will run roughshod over the right of quiet enjoyment shared by all Nevada tenants. The City of Reno and the Planning Commission do not have the power to eliminate the rights vested in all Nevada tenants by the Nevada State Legislature.

The January 18 meeting notes show a total disregard for the neighborhood. When asked about the proposed buildings on the parcel, the answers repeatedly boiled down to the sentiment that we all should be grateful that this applicant is doing this project rather than some other applicant constructing apartments. Nonsense. The proposed project devours every possible inch of perimeter space, leaving a tiny margin around the buildings for so-called “green space.” Several members of the Planning Commission admitted that the proposed project does not conform with the neighborhood. They also were dismayed at the lack of engagement with the neighbors. No one – not the builder, the City, nor anyone – attempted to appropriately engage the neighbors. Yet the City purports to care about such neighborhood engagement: “The City has made a concerted effort in recent years to more broadly engage all segments of Reno’s community in discussions about Reno’s future.” (The ReImagine Reno Master Plan, 2017, and updated through 11/2021, at GP8: “Effective Government.”)

Finally, only to add insult to injury, the applicant refused a simple accommodation such as work hours. In the applicant’s view, as expressed by

architect Don Clark at the meeting, the regular Reno hours of 7-6 daily and 8-6 Saturday are not to be altered at all. (Minutes)

Not only does this draconian work schedule – which will involve constructing an underground garage among other noisy elements of the project – harm the home owners, but it severely interferes with the tenants' right of quiet enjoyment. It is elemental that the landlords in the neighborhood will lose tenants as a result, and in order to try to retain them, landlords will be forced to offer rental accommodations such as lower rent or free months. The tenants who choose to leave rather than endure the hardship of living next to a construction zone will end up having to rent more expensive units (because that is the nature of the current Reno rental market). If the Reno City Council and the Planning Commission truly care about Reno residents – both homeowners and tenants -- then they will step in to protect them.

The City Council should reverse the approval by the Planning Commission. It may do so on the existing record which shows lack of conformity with the neighborhood. The record also shows that the Planning Commission failed to consider the Relmagine Reno Master Plan when it approved the

application. For example, there was no consideration of the following “Infill and Redevelopment” factors, because if there had been, the application would have been denied:

“N-CN.6: BUILDING ORIENTATION AND SETBACKS Buildings should be oriented consistent with the traditional orientation of structures found in the surrounding blocks. Similarly, front setbacks should be within the range of the front setbacks found along the surrounding block.

“N-CN.7: BUILDING BULK/MASS/HEIGHT To the extent feasible, infill development should be designed to fit in with surrounding buildings, incorporating similar heights, lot coverages, and widths in its design. Blocky and blank multi-story building forms devoid of articulation or architectural features should be avoided, especially along adjacent property lines.

“N-CN.8: TRANSITIONS Where infill development is of a different scale or height than surrounding buildings, transitions should be provided to limit impacts on adjacent properties. Transition techniques may include: stepping down building heights and massing along shared property lines to meet the height of adjacent buildings; increasing sideyard setbacks to incorporate a landscape

buffer; providing variation in the side building wall or roof form; using dormers and sloping roofs to accommodate upper stories; and/ or orienting windows, porches, balconies, and other outdoor living spaces away from shared property lines; among others.

“N-CN.9: MULTI-FAMILY BUILDINGS Multi-family buildings or units developed through infill or redevelopment should be designed to appear as separate homes from the street, using techniques such as stepping back the front façade at intervals that correspond to traditional lot widths (or in the sideyard setback if built on combined lots); variations in exterior materials or colors; variations in massing and height of the building form; provision of clearly articulated individual dwelling entrances (which provide access to the street); and/or variations in rooflines or styles; among others.”

(Relmagine Reno Master Plan, p. 155.)

If the City Council remands instead of reversing the Planning Commission, then the following modifications, among others, must be made:

- 1.) Require a reduction of building size to conform to the neighborhood.

2.) Require a redesign of the aesthetics of the building to conform to the neighborhood.

3.) Require a single apartment building with a single owner and disallow a subdivision of the land for condos with multiple owners.

4.) Modify work hours on the site to 9-5, Monday-Friday only.

5.) Require additional guest parking spaces on the subject property.

Respectfully submitted,

Christine Hoverman

3295 Corey Drive, Reno, NV 89509 (Ward 1)

775-247-0629



Public Comment <publiccomment@reno.gov>

New form response notification

1 message

Reno City Council Online Public Comment Received

Mon, Mar 6, 2023 at 6:15
AM

<cityclerk@reno.gov>

Reply-To: cityclerk@reno.gov

To: publiccomment@reno.gov

Your form has a new entry. Here are all the answers.

Your Name (First and Last)	Christine Hoverman
Email Address	christine.hoverman@yahoo.com
Address	3295 Corey Drive , Reno, NV 89509
Phone Number	7752470629
Which City of Reno Ward do you reside?	Ward 1

Council Meeting Date

Mar 08, 2023

Do you wish to speak in person at the meeting?

No (Digital comment only)

Agenda Item

I Public Hearings 6:00 PM: I.1 Staff Report (For Possible Action): Case No. LDC2300025 (Riviera Planned Community) Appeal of the Planning Commission's decision to approve a request for a tentative map to establish a five-lot singlefamily attached (condominium) subdivision and associated common areas.

Please state if you are in favor or in opposition of the agenda item in which you are commenting:

In opposition

Your Comment

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- 4.) Modify work hours on the site to 9-5, Monday-Friday only.
- 5.) Require additional guest parking spaces on the subject property.

Respectfully submitted,
Christine Hoverman

**Do you wish to sign-up for
Reno Connect e-
newsletters?**

Yes

**By checking the "Yes"
below, you understand,
acknowledge, and expressly
agree that: (1) all information
submitted by you will be
entered into the public
record, made available for
public inspection, and freely**

Yes

disseminated without restriction; and, (2) any contact, personal, financial, or medical information intentionally or inadvertently submitted by you will not be maintained in a confidential manner, or subsequently exempted from public inspection.

By checking the "Yes" below, you agree that all the information above is true and accurate. For additional information, please refer to the agenda for today's meeting.

Yes



Public Comment <publiccomment@reno.gov>

Fwd: External - LDC23-00025 Riviera Planned Community

4 messages

Mikki Huntsman <huntsmanm@reno.gov>
To: Public Comment <publiccomment@reno.gov>

Thu, Mar 2, 2023 at 12:19 PM

----- Forwarded message -----

From: **Jenny Brekhus** <brekhusj@reno.gov>

Date: Tue, Feb 28, 2023 at 4:28 PM

Subject: Re: External - LDC23-00025 Riviera Planned Community

To: Michael Vicks <mike@montevistaconsulting.com>

CC: Michelle Fournier <fournierm@reno.gov>, Mikki Huntsman <huntsmanm@reno.gov>

Thank you, Michael. For due process purposes I only take into account that which is presented on the record so I do not meet with applicants or appellants. I will review all materials before the hearing.

best,
jb

On Feb 27, 2023, at 5:59 PM, Michael Vicks <mike@montevistaconsulting.com> wrote:

Dear Council Member Brekhus,

I hope you are well. I am one of the applicant's representatives for the Riviera Planned Community and would like to make myself and our team available for any questions you may have regarding the project. The Tentative Map was approved by the Planning Commission on January 18th, 2023. An adjacent property owner has appealed the approval and the project is on the City Council Agenda for March 8, 2023.

The Tentative Map application is for a 5-unit infill condominium. The project conforms with the underlying zoning which was established in the 1940's and has met the required findings in the opinion of both the City Staff and Planning Commission. If developed as apartments in the exact same configuration, the project would be able to move directly to building permit without any preliminary review or entitlements. The proposed subdivision is the **only** entitlement trigger. The developer's desire for mapping also speaks to the higher quality of project that he wants to build.

The project has been appealed based on the following Reno Master Plan sections: SD.7 (Solar Access), N-CN.7 (Building Bulk/Mass/Height) and N-CN.8 (Transitions). We have completed a shad study which shows the proposed structure will not shade

adjacent structures. There are two multi-story apartment buildings adjacent to the site which were developed in the 1960's and are greater in intensity than the proposed project with similar setbacks and lot coverages. The proposed structure has been developed to meet or exceed the required articulation and stepback standards established in the Reno Land Development Code.

Again, this project has been designed in compliance with the Reno Land Development Code and can move directly to building permit as an apartment. The matter at hand relates to the subdivision into condominiums which will promote a higher quality of construction and individual home ownership.

Thank you in advance for your consideration and again, our team would be happy to speak with you about the project if you feel it would be helpful in any way.

Thanks,
Michael Vicks, P.E.
main: 775.636.7905
direct: 775.235.8404
mike@montevistaconsulting.com
575 E. Plumb Lane, Suite 101
Reno, NV 89502



To: mike@montevistaconsulting.com

Cc: Public Comment <publiccomment@reno.gov>

Hello Michael,

Thank you for your comments and clarification on the phone this morning that you would like them entered as public comment for the 3/8/23 Council Meeting. They will be sent to the Reno City Council for review and will be part of the official record.

Best,

City Clerk's Office
City Clerk (775) 334-2030
1 East First Street, 2nd Floor Reno, NV 89501
publiccomment@reno.gov
cityclerk@reno.gov

[Quoted text hidden]

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CITY OF
RENO

City Clerk's Office
775-334-2030 (0)
CityClerk@Reno.Gov
PublicComment@Reno.Gov
1 E. First St., Reno, NV 89501

Reno.Gov | Connect with us: [f](#) [t](#) [i](#) [in](#) [d](#)

PUBLIC RECORDS NOTICE: In accordance with NRS Chapter 239, this email and responses, unless otherwise made confidential by law, may be subject to the Nevada Public Records laws and may be disclosed to the public upon request.

Public Comment <publiccomment@reno.gov>

Mon, Mar 6, 2023 at 10:46 AM

To: Jenny Brekhus <brekhusj@reno.gov>

Cc: Mikki Huntsman <huntsmanm@reno.gov>, Barbara Aufiero <aufierob@reno.gov>

Hello Councilmember Brekhus,

I can confirm I spoke with Michael by phone this morning and, per his request, we will enter his comments as a written correspondence public comment and they will be distributed to the entire Council for review.

Thank you,
Donny LaQue

[Quoted text hidden]

Jenny Brekhus <brekhusj@reno.gov>

Mon, Mar 6, 2023 at 10:47 AM

To: publiccomment@reno.gov

Hello and thank you for your email message. I endeavor to reply to all constituent concerns within 48 hours, however, in times of high volume communications, this is not feasible. I generally do not respond to emails related to development cases but I do read all of these emails before deliberation. Likewise, when email campaigns are launched for the purpose of advocacy, I am rarely able to provide individualized replies but do appreciate the outreach on an issue of public concern.

If you would like to request a meeting with me, please fill out this form: <https://www.reno.gov/government/city-council/scheduling-requests-for-council>

Thank you again for your email.

--

Jenny Brekhus
Ward 1 Reno City Council Member
[775-334-2011](tel:775-334-2011)
[775-544-1694](tel:775-544-1694)

If you would like to schedule a meeting with me, please fill out this form: <https://www.reno.gov/government/city-council/request-for-council-at-events>

Tyler Shaw
Community Liaison
775-297-9116
shawt@reno.gov



Public Comment <publiccomment@reno.gov>

New form response notification

1 message

Reno City Council Online Public Comment Received

Sat, Mar 4, 2023 at 2:58 PM

<cityclerk@reno.gov>

Reply-To: cityclerk@reno.gov

To: publiccomment@reno.gov

Your form has a new entry. Here are all the answers.

Your Name (First and Last)	Tim & Doris Hosfeldt
Email Address	thosfeldt@gmail.com
Address	1419 Sauel Way, Reno, NV 89509
Phone Number	7753785935
Which City of Reno Ward do you reside?	Ward 1

Council Meeting Date

Mar 08, 2023

Do you wish to speak in person at the meeting?

No (Digital comment only)

Agenda Item

LDC2300025 - Riviera St. Project

Please state if you are in favor or in opposition of the agenda item in which you are commenting:

In opposition

Your Comment

My name is Tim Hosfeldt. My wife and I live at [1419 Samuel Way](#). This summer, we'll have lived in Reno for 40 years and in this neighborhood in southwest Reno for 37 years. My wife is a retired teacher, and I'm a retired pastor. We made our life's work about serving our community and, hopefully, making it a better place to live. We're not wealthy, so our home is our most significant investment. The same is true for many in our neighborhood. We were fortunate enough to pay our house off almost 7 years ago. Knowing this neighborhood for the last 37 years, we decided to stay in this home for the rest of our lives. With that decision, we took out a substantial reverse mortgage. We made repairs, and we made it water and energy efficient. And we've been preparing our house for the time when my illness will make it so I'm no longer able to walk. Our home is also our daughters' inheritance. We felt safe

investing this money in our home because, for 37 years, our home had privacy in this kind and peaceful neighborhood. But just as we were finishing our improvements, we learned about this project. Had we any knowledge of these condos, we wouldn't have taken out a reverse mortgage and would have moved away from this neighborhood that we love. The southwest neighborhood of Reno has always been a source of pride for our city. Our neighborhood is filled with single-family, ranch-style homes. There are two apartment complexes on Idlewild Drive at the north end of the block. The developers have made no effort to design a building that complements our neighborhood. For lack of better words, it will stick out like a sore thumb.

Like several residents close to this project, we have concerns about our privacy. The project plans have several windows looking into our great room and bedroom. My neighbor at 1415 Samuel Way will have their entire view from their backyard obscured by this project. The project is so close to our neighbor at 2040 Idlewild that it will tower over their property and obscure the majority of the direct sunlight to their backyard.

We also have concerns about how this will affect the value of our home. Its design is so out of step with the neighborhood, that the investments of the residents here will suffer significantly because of this project. These condos will hurt some families financially causing their home loans to end up underwater, not because of the home market, but because of the impact of this project. It will take no time before the property values of every home in the neighborhood will be impacted.

I'm sure that this California developer is hoping that their investment will bring them financial gain. But this project brings no benefit to the residents of our neighborhood whatsoever. It will hurt the investment of every homeowner that surrounds this structure. So I have to ask you... what about our investments? What about us Reno residents who have invested our lives here? Do we not matter to this city? Do we not matter to you?
Respectfully, Tim & Doris Hosfeldt

Do you wish to sign-up for Reno Connect e-newsletters?

Yes

By checking the "Yes" below, you understand, acknowledge, and expressly agree that: (1) all information submitted by you will be entered into the public record, made available for public inspection, and freely disseminated without restriction; and, (2) any contact, personal, financial, or medical information intentionally or inadvertently submitted by you will not be maintained in a confidential manner, or subsequently

Yes

**exempted from public
inspection.**

**By checking the "Yes"
below, you agree that all the
information above is true
and accurate. For additional
information, please refer to
the agenda for today's
meeting.**

Yes

RENO CITY COUNCIL PUBLIC COMMENT CARD

Thank you for participating. We know your time is valuable and we look forward to hearing your comments, ideas and questions. The Mayor and City Council request that all comments are expressed in a courteous manner. Public comment is limited to three minutes each. Comments should be addressed to the council as a whole, not an individual member.

NAME: TINA Dils

ADDRESS: 2020 Idlewild Dr.

CONTACT PHONE: 775-786-8538

E-MAIL: ChristinaLDils@gmail.com

If you are representing someone, other than yourself, please indicate whom:

☒ WARD 1 ☐ WARD 2 ☐ WARD 3 ☐ WARD 4 ☐ WARD 5
☐ OTHER _____

DO YOU WISH TO SPEAK? YES ☒ NO ☐

AGENDA ITEM Case # LDC23-00025 (Riviera Planned Community)

☐ IN FAVOR ☒ IN OPPOSITION ☐ NO POSITION STATED - CONCERNED

COMMENTS: _____

☐ PLEASE SIGN ME UP TO RECEIVE IMPORTANT NEWS AND INFORMATION ABOUT THE CITY OF RENO BY E-MAIL.

WHEN COMPLETED, PLEASE RETURN TO THE CITY OF RENO CITY CLERK

THANK YOU FOR YOUR COOPERATION AND PARTICIPATION



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NAME: Scott Wright
ADDRESS: 2040 Idlewild Dr
CONTACT PHONE: 530 906 0348
E-MAIL: ScottWright@nevada.unr.edu

If you are representing someone, other than yourself, please indicate whom:

☒ WARD 1 ☐ WARD 2 ☐ WARD 3 ☐ WARD 4 ☐ WARD 5
☐ OTHER _____

DO YOU WISH TO SPEAK? YES ☒ NO ☐

AGENDA ITEM Buena I

☐ IN FAVOR ☒ IN OPPOSITION ☐ NO POSITION STATED - CONCERNED

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NAME: Anna O'Bryan

ADDRESS: 2040 Idlewild Drive

CONTACT PHONE: 725-83

E-MAIL: acobryan

If you are representing someone, other than yourself, please indicate whom:

☐ WARD 1 ☐ WARD 2 ☐ WARD 3 ☐ WARD 4 ☐ WARD 5
☐ OTHER _____

DO YOU WISH TO SPEAK? YES ☒ NO ☐

AGENDA ITEM Riverway II

☐ IN FAVOR ☐ IN OPPOSITION ☐ NO POSITION STATED - CONCERNED

COMMENTS: _____

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THANK YOU FOR YOUR COOPERATION AND PARTICIPATION



RENO CITY COUNCIL PUBLIC COMMENT CARD

Thank you for participating. We know your time is valuable and we look forward to hearing your comments, ideas and questions. The Mayor and City Council request that all comments are expressed in a courteous manner. Public comment is limited to three minutes each. Comments should be addressed to the council as a whole, not an individual member.

NAME: Nate Vass
ADDRESS: 2111 Riverside St Reno
CONTACT PHONE: 530 253-8278
E-MAIL: _____

If you are representing someone, other than yourself, please indicate whom: _____

☒ WARD 1 ☐ WARD 2 ☐ WARD 3 ☐ WARD 4 ☐ WARD 5
☐ OTHER _____

DO YOU WISH TO SPEAK? YES ☐ NO ☐

AGENDA ITEM I.1

☐ IN FAVOR ☒ IN OPPOSITION ☐ NO POSITION STATED - CONCERNED

COMMENTS: Parlors, Trash cans, Fit in
neighborhoods

☐ PLEASE SIGN ME UP TO RECEIVE IMPORTANT NEWS AND INFORMATION ABOUT THE CITY OF RENO BY E-MAIL.

WHEN COMPLETED, PLEASE RETURN TO THE CITY OF RENO CITY CLERK

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