

**PLANNING COMMISSION
STAFF REPORT**

Date: January 18, 2023

To: Reno City Planning Commission

Subject: Staff Report (For Possible Action): Case No. LDC23-00027 (Grand Point Townhomes North) - A request has been made for: 1) a tentative map for a 78-lot single-family attached (townhome) subdivision; 2) a conditional use permit for: a) more than 50 residential units in the Neighborhood Commercial (NC) zoning district; b) fills greater than ten feet in height; and c) cluster development; and 3) alternative equivalent compliance to vary from the residential street tree requirements. The ±5.10 acre site is located on the southeast corner of the intersection at Grand Point Way and Mae Anne Avenue. The site is within the NC zoning district in the McQueen Neighborhood Planning Area Overlay (MQ) zoning district and has a Master Plan land use designation of Suburban Mixed-Use (SMU).

From: Leah Brock, Assistant Planner

Ward #: 5

Case No.: LDC23-00027 (Grand Point Townhomes North)

Applicant: DR Horton, Inc. NNV

APN: 202-053-03

Request:

- **Tentative Map:** To allow for a 78-lot single-family attached (townhome) subdivision.
- **Conditional Use Permit:** To allow for a) more than 50 residential units in the Neighborhood Commercial (NC) zoning district; b) fills greater than ten feet in height; and c) cluster development.
- **Alternative Equivalent Compliance:** To vary from residential street tree requirements.

Location: See Case Maps (**Exhibit A**).

Proposed Motion: Based upon compliance with the applicable findings, I move to approve the tentative map, conditional use permit, and alternative equivalent compliance subject to the conditions listed in the staff report.

Summary: The subject site is currently comprised of one vacant ± 5.10 acre parcel on the southeast corner of the intersection of Grand Point Way and Mae Anne Avenue. The proposed tentative map, conditional use permit and request for alternative equivalent compliance would allow for a 78 lot single-family attached residential subdivision with associated common areas (**Exhibit B**). Key project issues consist of: 1) overall site design, and; 2) compatibility. With all recommended conditions of approval, the proposed site design meets all code standards and addresses applicable findings. Staff recommends approval, subject to the conditions listed in this staff report.

Background: In December of 2019, Reno City Council approved a zoning map amendment to amend the zoning from Professional Office (PO) to Neighborhood Commercial (NC), consistent with the site's Suburban Mixed-Use Master Plan land use designation. The application for the zoning map amendment stated that the zone change request was an initial step towards developing a residential congregate care facility. No applications were filed for that use and the care facility was not developed.

Analysis: A conditional use permit is required to allow more than 50 attached single-family units in the NC zoning district, grading with fills greater than ten feet in height, and cluster development. The Planning Commission will review this application in concert with the tentative map, and alternative equivalent compliance requests.

Site Design and Compatibility: The proposed tentative map includes 78 single-family attached townhome units located on a ± 5.1 acre site, which yields a gross density of ± 15.29 dwelling units per acre. This is well within the density maximum of 30 units per acre in the NC zoning district. The NC zone is intended to accommodate a mix of pedestrian-oriented commercial, retail services, and housing options. The proposed single-family attached residential subdivision is consistent and compatible with the single-family neighborhood to the east, and serves as potential work-force housing for the commercial shopping center to the west. The project has been designed to cluster the development away from the eastern boundary where the site is adjacent to single-family residential and slopes downward to a natural drainage that extends south. Approximately ± 0.45 acres of common area, ranging from 32 feet to 49 feet in width, will be preserved and landscaped, further limiting the impact on adjacent residential (**Exhibit C**).

The project design consists of 78 two-story townhomes in either two or four-unit buildings. Site design features a paseo orientation with vehicular access provided from the rear of the buildings and primary pedestrian and building orientation towards landscaped common areas. Each unit will range in size from 1,310 square feet to 1,409 square feet and include three bedrooms and a two car garage (**Exhibit D**). Although the lot dimensional standards are not met for the NC zoning district, Reno Municipal Code (RMC) allows for reduced lot width, reduced lot sizes, and zero foot setbacks for single-family attached developments.

Grading: Due to existing topography, as proposed, the project will require fills up to 16 feet in depth on a limited area of the southeast site area. A total of 2,105 cubic yards of cut are anticipated and 21,960 cubic yards of fill (**Exhibit E**). Limited construction hours of operation will reduce impacts to surrounding properties (**Condition No. 6**).

Vehicle and Pedestrian Access and Circulation: A trip generation letter was provided in the application materials. According to the letter, the 78 lots will generate approximately 526 ADT with approximately 40 Peak Hour Trips in the PM Peak Hour and 31 in the AM Peak Hour. The project is not anticipated to have a significant impact on the neighboring street network. The internal street network will be privately owned and maintained. Home buyers will be provided with information on the Regional Transportation Commission (RTC) Smart Trips Program. This information shall be included with sales documents for each home buyer (**Condition No. 7**).

The project will be accessed off Grand Point Way, with vehicular access to the site via a centrally located drive aisle. The internal streets within the proposed project are planned to be private, designed as 28 feet wide from back of the curb. The project will include a gated paved emergency access located near the northwest corner with access onto Mae Anne Avenue.

As designed, the garages will be oriented toward the private streets with six foot driveways leading to private garages (**Exhibit F**). **Condition No. 8** requires CC&R's to restrict parking in the nonstandard driveways. As a result of the design, sidewalks are not provided adjacent to the garages in order to remove the risk of pedestrian/vehicle conflict while vehicles are backing out of garages.

Pedestrian access will include a network of four-foot wide internal sidewalks through the paseos and between buildings connecting the paseos to the external sidewalks on Grand Point Way and Mae Anne Avenue. Improvements to Grand Point Way include a new segment of five-foot sidewalk, new curb, and gutter along the east side of Grand Point Way. The project will widen the existing sidewalk along Mae Anne Avenue from five feet to six feet and will widen the existing sidewalk along Grand Point Way from four feet to five feet.

Landscaping and Alternative Equivalent Compliance: The NC zoning district requires a minimum of 20% landscaping. As designed, ± 2.04 acres (40% of the site) of the site will be landscaped area, which includes perimeter landscaping, general common areas, and paseo areas along building frontages. The drainage area will include Low Impact Development (LID) landscaping where flatter slopes exist to prevent erosion and enhance aesthetics. A homeowners association or equivalent is required to maintain all aforementioned common areas (**Condition No. 9**).

The applicant is requesting alternative equivalent compliance (AEC) for interior residential street trees. Reno Municipal Code (RMC) 18.04.804(f)(1) requires two street trees per lot along residential roads (156 trees). As designed, the interior streets function more like alleys with six-foot driveways rather than front yards. Given the unique paseo lot design, the front yards are actually oriented toward the interior of the lot. Providing street trees may impede vehicle vision triangles and conflict with utilities. The applicant is requesting an allowance to provide the equivalent number of required trees, per RMC 18.04.804(f)(1), on the front door side of the units where they front to internal paseos and/or common areas (**Condition No. 10**).

Utilities, Drainage, and Sewer: Utilities are available for this project and are currently located adjacent to or in close proximity of the site. Water service will be provided by the Truckee Meadows Water Authority (TMWA). Water rights sufficient to serve the proposed subdivision will be dedicated at the time of the final map as required. Sewer service will be provided by the City of Reno with treatment at the Truckee Meadows Water Reclamation Facility. NV Energy will provide gas and electric service to the project. Existing sewer and storm drain connections are already provided for the project to the south and were sized to accommodate this project. Onsite detention basins will provide peak flow mitigation and LID features will be provided throughout in accordance with City standards.

Master Plan Conformance: The subject site has a Master Plan land use designation of Suburban Mixed-Use (SMU) and is within the Foothill Neighborhoods per the Structure Plan Framework of the Master Plan and within ± 0.5 mile of the community/neighborhood center located at the intersection of N. McCarren Boulevard and Mae Anne Avenue. As proposed and with the recommended conditions, the project is in conformance with the SMU Master Plan land use designation and the following applicable Master Plan goals and policies:

- Policy 1.1B: Community Development
- Policy 1.2D: Employment Areas
- Policy 4.1A Housing Options
- Policy 4.4E Density/Intensity
- CNC-G.3: Housing

Public and Stakeholder Engagement: Agency comments were received and incorporated into the analysis as applicable (**Exhibit G**). A courtesy notice was sent out to surrounding property owners upon initial submittal of the project. The applicant presented their project at the December 13, 2022 Ward 5 Neighborhood Advisory Board (NAB) meeting. Comments were provided by two NAB members and four letters of opposition were received from surrounding property owners (**Exhibit H**). Any future comments will be forwarded to the Planning Commission as they are received.

Recommended Conditions of Approval: All conditions shall be met to the satisfaction of Development Services Department staff, unless otherwise noted.

1. The project shall comply with all applicable City codes, plans, reports, materials, etc., as submitted. In the event of a conflict between said plans, reports, materials and City codes, City codes in effect at the time the application is submitted, shall prevail.
2. The applicant shall record the final map(s) in accordance with the time limit contained in state law or this approval shall be null and void.
3. Prior to the approval of the final map, the applicant shall provide an affidavit stating that the subdivider will make provision for payment of the tax imposed by Chapter 375 of Nevada Revised Statutes (NRS) and for compliance with the disclosure and recording requirements of NRS 598.0923, if applicable, by the subdivider or any successor in interest.
4. Prior to the issuance of any building permit or final map, the applicant shall attach a copy of the final approval letter and phasing plan. The approval letter and phasing plan shall accompany a narrative that describes how the requested permit addresses each of the approved conditions of approval.
5. The applicant, developer, builder, property owner, or business proprietor, as applicable, shall continuously maintain a copy of this approval letter on the project site during the construction and operation of the project/business. The project approval letter shall be posted or made readily available upon demand by City staff.
6. Hours of construction, including grading, shall be limited to between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday, and between 8:00 a.m. and 6:00 p.m. on Saturday. There shall be no construction on Sundays. This condition shall not apply to dust control or storm water management operations. A note to this effect shall be placed on the title sheet of all building permit plan sets. If the construction hours need to be varied for the pouring of concrete slabs, interior construction hours or other modifications, a plan detailing the construction operations and provisions to minimize impacts on nearby residential areas shall be submitted and approved to the satisfaction of Administrator.
7. Prior to the approval of a final map, the applicant shall provide staff with a copy of information provided by the Regional Transportation Commission (RTC) on the RTC's Smart Trips Program. This information shall be included with sales documents for each home buyer.

8. Prior to the approval of a final map, the applicant shall provide suitable documentation that CC&R's or a similar instrument restricts vehicle parking in garage driveways, and have said documentation recorded concurrently with the final map.
9. Prior to the approval of a final map, the applicant shall provide suitable documentation that a homeowners association or equivalent entity will be formed to provide maintenance of all project common areas, and have said documentation recorded concurrently with the final map. Notes shall be added to the final map identifying that maintenance responsibility of all common areas shall be the responsibility of the HOA or equivalent entity.
10. Prior to approval of a final map, the applicant shall revise plans to ensure that an equivalent number of residential street trees required under RMC 18.04.804(f)(1) are planted on site in alternative locations.

Findings: General Review Considerations: In order to review any application, the Planning Commission shall determine the following:

- 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.

Tentative Map: Approval of tentative maps shall be subject to the approval criteria in Section 18.08.304(e), Approval Criteria Applicable to All Applications, and criteria set forth in NRS Section 278.349(3), as follows:

- 1) Environmental and health laws and regulations concerning water and air pollution, solid waste disposal, water supply facilities, community or public sewage disposal and, where applicable, individual systems for sewage disposal;
- 2) Availability of water which meets applicable health standards and is sufficient for the reasonably foreseeable needs of the subdivision;
- 3) Availability and accessibility of utilities;
- 4) Availability and accessibility of public services such as schools, police and fire protection transportation, recreation and parks;
- 5) Conformity with the zoning ordinances, master plan, and elements thereof, except that if any existing zoning ordinance is inconsistent with the master plan, the zoning ordinance takes precedence;
- 6) General conformity with the governing body's master plan of streets and highways.
- 7) Effect of the proposed subdivision on existing public streets and the need for new streets or highways to serve the subdivision;
- 8) Physical land characteristics such as flood plain, slope, soil; and
- 9) Recommendations and comments of those entities reviewing the tentative map pursuant to NRS 278.330 and 278.348.
- 10) Availability and accessibility of fire protection, including, but not limited to, the availability and accessibility of water and services for the prevention and containment of fires, including fires in wild lands; and
- 11) Submission by the subdivider of an affidavit stating that the subdivider will make provision for payment of the tax imposed by Chapter 375 of NRS and for compliance with the disclosure and recording requirements of subsection 5 of NRS 598.0923, if applicable, by the subdivider or any successor in interest.

Conditional Use Permit: In addition to meeting the criteria in Section 18.08.304(e), *Approval Criteria Applicable to all Applications*, the following findings shall be made prior to granting a conditional use permit:

- 1) The proposed location of the use is in accordance with the objectives of this Title and the purpose of the zoning district in which the site is located;
- 2) The proposed land use and project design is compatible with surrounding development;
- 3) The proposed land use and project design is consistent with applicable development standards;
- 4) Public services and facilities are available to serve the project, or will be provided with development;
- 5) The characteristics of the use as proposed and as may be conditioned are reasonably compatible with the types of use permitted in the surrounding area; and
- 6) The granting of the conditional use permit will not be materially detrimental to the public health, safety, or welfare. The factors to be considered in evaluating this application shall include:

- a. Property damage or nuisance resulting from noise, smoke, odor, dust, vibration, or illumination; and
- b. Any hazard to persons and property.

Alternative Equivalent Compliance: Alternative equivalent compliance may be approved if the applicant demonstrates that following criteria have been met by the proposed alternative:

1. Achieves the intent of the subject standard to the same or better degree than the subject standard;
2. Advances the goals and policies of this Title to the same or better degree than the subject standard;
3. Results in benefits to the community that are equivalent to or exceed benefits associated with the subject standard;
4. Imposes no greater impacts on adjacent properties than would occur through compliance with the specific requirements of this Title; and
5. Is not be materially detrimental to the public health, safety, or welfare.

Attachments:

Exhibit A – Case Maps

Exhibit B – Preliminary Lot and Block Plan

Exhibit C – Preliminary Landscape Plan

Exhibit D – Floor Plans and Renderings

Exhibit E - Preliminary Grading Plan

Exhibit F – Typical Utility Street Section

Exhibit G – Agency Comments

Exhibit H – NAB & Public Comments