

**PLANNING COMMISSION
STAFF REPORT**

Date: January 18, 2023

To: Reno City Planning Commission

Subject: **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).**

From: Carter Williams, Assistant Planner

Ward #: 1

Case No.: LDC23-00025 (Riviera Planned Community)

Applicant: Wade Diebner

APN: 010-083-10

Request: **Tentative Map:** To establish a five-lot single-family attached (condominium) subdivision and associated common areas.

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

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

Summary: The project site is comprised of one ±0.31 acre parcel located southeast of Riviera Street, ±75 feet from its intersection with Idlewild Drive. The proposed tentative map would allow a 5-lot single-family attached residential condominium subdivision and associated common areas. The attached single-family residential land use is allowed by-right in the Multi-Family Residential – 14 units per acre (MF-14) zoning district. A tentative map is required when greater than four lots are proposed to be created through a subdivision map. Key project issues include: 1) overall site design; 2) building design; and 3) compatibility. Staff recommends approval, subject to the conditions outlined in the staff report.

Background: The project site currently includes a single-family residence constructed in 1938. The lot has been located within a multi-family zoning designation since as early as 1947 per the City of Reno land use plan adopted that year.

Analysis:

Site Design: The proposed tentative map includes five residential lots on a ± 0.31 acre parcel, which yields a gross density of ± 15.97 dwelling units per acre. This is within the density maximum of 16.1 units per acre with a 15% density bonus for smaller average unit size. The applicant proposes an average unit size of less than 1,800 square feet which grants the project a 15 percent density bonus per Reno Municipal Code (RMC) Section 18.04.905(b)(1). Two parking spaces are required per unit and all required parking is proposed to be underground.

This tentative map proposes a condominium subdivision and all land area and underground improvements will be common area maintained according to the draft covenants, conditions, and restrictions and reservation of easements included in the application materials. **Condition No. 7** requires a homeowners association, or equivalent, to maintain all aforementioned common areas. Reduced lot width, reduced lot sizes, and zero-foot setbacks for single-family residential attached projects in the MF-14 zoning district are allowed per RMC.

The project includes $\pm 3,150$ square feet of landscape area (23%) which exceeds the minimum required (**Exhibit B**). A number of mature elm trees are proposed to be removed due to invasive roots. A tree penalty applies but the applicant is required to bring the site into conformance with landscaping, trees, and shrubs which will satisfy the tree penalty.

Setbacks for the MF-14 zoning district are similar to that of single-family districts with a rear yard setback of 20 feet. A minimum of 500 square feet of usable open space is required and is adequate based on the provided site plan (**Exhibit C**). Condominium projects are encouraged to have amenities associated with contemporary home ownership per RMC. This project includes roof decks, dedicated storage, bike repair and work area, and individual gardens.

Building Design: The proposed building has significant articulation and includes multiple design elements on all four façades (**Exhibit D**). The front façade of the building has two sections bisected by the underground parking entrance. This articulation provides the appearance from the street that each building section is a separate home. The front façades are dominated by entry porches and windows to promote neighborhood cohesion. A stepback from the front property line at a rate of one foot of setback for every two feet of height has been demonstrated to meet compatibility requirements. Stepbacks on the sides and rear of the building are provided as well.

Compatibility with Surrounding Uses: The immediate vicinity around the project site has a number of housing options including single-family detached homes, duplexes, and higher density multi-family. Most notably, a 28-unit apartment complex resides across the street. The proposed use adds to this mix. Under the current zoning designation, a multi-family apartment complex is an allowed use without additional discretionary review and would allow up to six units on the property with the maximum density bonus.

The proposed building is located within the range of building setbacks on either side of the parcel. The height of the proposed building is within the maximum allowed by the zone (35 feet) and is comparable to the buildings to the north and the west of the project site. Stepbacks are provided on all four sides of the building to provide a transition to single-family and duplex uses.

Shadow restrictions do not apply to structures less than 35 feet in height per RMC. Exterior building lighting as proposed appears to comply with code, but in order to promote compatibility with adjacent uses, **Condition No. 8** requires that light spillover across property lines be restricted to 0.5-foot candles or less.

Based on the existing uses within the area, the existing compatibility requirements within RMC, and the proposed condition for lighting, the proposed use is compatible with the area.

Access and Circulation: The project site currently has two accesses along Riviera Street. This proposal reduces that to a single access further away from the intersection of Riviera Street and Idlewild Drive.

Utilities: Truckee Meadows Water Authority (TMWA) has been identified as providing water service, Waste Management for solid waste disposal, and the existing City of Reno sewer lateral will be utilized. Infrastructure required to serve the site (i.e. sewer, storm drainage, water, and electrical) will be further reviewed during the review of the final map and permit requests to develop the site. Condominium projects are required to have separate electrical, gas, sewer, and water services provided to each unit unless it can be demonstrated that the systems are adequate to serve all units under a common system. This requirement pursuant to RMC 18.06.302 will be addressed prior to the issuance of the site improvement permit.

Water “Will Serve” from TMWA will be required prior to any final map. The applicant will be required to apply for a sewer will-serve and pay sewer connection fees prior to permit issuance. There is an existing overhead utility line that is not to be relocated and does not meet the criteria to be placed underground at this time.

Storm Drain/Hydrology: The proposed project is located within the Truckee River Watershed. Existing drainage patterns have the majority of stormwater flows discharging on adjacent

properties. The proposed drainage improvements direct the majority of storm flows to Riviera Street with the remainder being caught by a proposed infiltration basin. This is expected to reduce the storm flows that are currently discharging onto adjacent parcels. Flooding incidents in the area were reported at the Ward 1 Neighborhood Advisory Board (NAB) meeting. The City of Reno Utility Services Department is unaware of any flooding issues in this area. They did note that infrastructure improvements are planned for this area and will be addressed if drainage issues are identified.

General Code Compliance: The proposed site improvements will meet all applicable code requirements. Final maps, site improvement permits, and building permits will be required and final details will be verified at final map and permit review for code compliance.

Master Plan Conformance: The subject site has a Master Plan land use designation of Mixed Neighborhood (MX) and is located in a Central Neighborhood per the Structure Plan Framework of the Reno Master Plan. As proposed, and with the recommended conditions, the project is in conformance with the MX Master Plan land use designation and the following applicable Master Plan goals and policies:

- 4.3B: Infill and Redevelopment
- N-G.22: Building Design
- N-CN.8: Transitions
- N-CN.10: Garage and Parking Location

Public and Stakeholder Engagement: No concerns were identified from the external agency comments that were received regarding this application. The applicant presented their project to the December 12, 2022 Ward 1 Neighborhood Advisory Board (NAB) meeting. A number of neighbors attended and provided public comment in opposition of the project. A courtesy notice was sent out to surrounding property owners upon initial submission of the project, and two letters in opposition and one in support were received at the time this report was prepared (**Exhibit E**). Primary concerns were compatibility with the neighborhood, height of the building, and flooding. Based on the analysis provided in the staff report, staff believes that these concerns are adequately addressed. 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 suitable documentation that a homeowners association or equivalent has been formed to provide maintenance of all project common areas, and have said documentation recorded.
8. Prior to the approval of a building permit or final map, excluding mass grading, the applicant shall provide a photometric plan that demonstrates that lighting from the project site shall not create greater than 0.5-foot candle of spillover light at a property line of any abutting property.

Findings:

General Review Criteria and Considerations: The decision-making body shall review all development applications for compliance with the applicable general review criteria stated below.

- 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 an application that provides a public benefit even if the development is contrary to some of the goals, 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.

Attachments:

Exhibit A - Case Maps

Exhibit B - Landscape Plan

Exhibit C - Site Plan

Exhibit D - Building Elevations and Stepbacks

Exhibit E - Public Comment