



# MINUTES

## Regular Meeting

### Reno City Planning Commission

Wednesday, April 20, 2022 • 6:00 PM

Reno City Council Chamber, One East First Street, Reno, NV 89501

Commissioners			
Kathleen Taylor, Chair 326-8859			
Alex Velto, Vice Chair	326-8858	Mark Johnson	326-8864
J.D. Drakulich	326-8861	Arthur Munoz	326-8862
Peter Gower	326-8860	Silvia Villanueva	326-8863

### 1 Pledge of Allegiance

Commissioner Munoz led the Pledge of Allegiance.

### 2 Roll Call

Attendee Name	Title	Status	Arrived
Kathleen Taylor	Chair	Present	
J.D. Drakulich	Commissioner	Present	
Peter Gower	Commissioner	Present	
Mark Johnson	Commissioner	Present	
Arthur Munoz	Commissioner	Present	
Alex Velto	Commissioner	Present	
Silvia Villanueva	Commissioner	Absent	

*The meeting was called to order at 6:02 PM.*

### 3 Public Comment

Voice mails from the last meeting that were unable to be retrieved due to technical difficulties have now been forwarded to the Planning Commission and added to the record.

Item 3 - Voice Message transcriptions for LDC22-00054 - *Presented/Distributed at Meeting*

### 4 Approval of Minutes (For Possible Action)

4.1 Reno City Planning Commission - Regular - Mar 16, 2022 6:00 PM (For Possible Action) 6:05 PM

*It was moved by Commissioner Velto, seconded by Commissioner Johnson, to approve the meeting minutes. The motion carried unanimously with six (6) commissioners present.*

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Alex Velto, Commissioner
<b>SECONDER:</b>	Mark Johnson, Commissioner
<b>AYES:</b>	Taylor, Drakulich, Gower, Johnson, Munoz, Velto
<b>ABSENT:</b>	Silvia Villanueva

4.2 Reno City Planning Commission - Workshop - Mar 28, 2022 5:30 PM (For Possible Action) 6:06 PM

*It was moved by Commissioner Gower, seconded by Commissioner Drakulich, to approve the meeting minutes. The motion carried with four (4) in favor and two (2) abstentions by Commissioners Munoz and Velto.*

<b>RESULT:</b>	<b>ACCEPTED [4 TO 0]</b>
<b>MOVER:</b>	Peter Gower, Commissioner
<b>SECONDER:</b>	J.D. Drakulich, Commissioner
<b>AYES:</b>	Kathleen Taylor, J.D. Drakulich, Peter Gower, Mark Johnson
<b>ABSTAIN:</b>	Arthur Munoz, Alex Velto
<b>ABSENT:</b>	Silvia Villanueva

## 5 Annual Report to the Truckee Meadows Regional Planning Agency

5.1 Staff Report (For Possible Action): Acceptance of the 2021 City of Reno Annual Report to the Truckee Meadows Regional Planning Agency. 6:06 PM

Kelly Mullin, Principal Planner, gave an overview of the Annual Report and answered questions from commissioners.

*It was moved by Commissioner Velto, seconded by Commissioner Drakulich, to accept the 2021 Annual Report. The motion carried unanimously with six (6) commissioners present.*

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Alex Velto, Commissioner
<b>SECONDER:</b>	J.D. Drakulich, Commissioner
<b>AYES:</b>	Taylor, Drakulich, Gower, Johnson, Munoz, Velto
<b>ABSENT:</b>	Silvia Villanueva

## 6 Public Hearings

- 6.1 Staff Report (For Possible Action): Case No. LDC22-00055 (The Canyons/Canyons Edge Water Tanks) – A request has been made for a major site plan review to allow for cuts greater than 20 feet/fills greater than 10 feet associated with the placement of two new water tanks on a portion of a ±120 acre site in the Unincorporated Transition (UT-40) and Planned Unit Development (PUD) zoning districts. The project site is located approximately 1,500 feet northeast of the eastern terminus of Mine Shaft Drive. The subject site has a Master Plan land use designation of Unincorporated Transition (UT) and Single-Family Neighborhood (SF). **[Ward 2]** 6:13 PM

Mike Railey, Christy Corporation, gave an overview of the project.

Leah Brock, Assistant Planner, gave an overview of the staff report.

Disclosures: None

Public Comment: None

Questions:

Mr. Railey confirmed for Commissioner Johnson that the fully fenced perimeter was sufficient to address the feral horse concerns.

*It was moved by Commissioner Gower, seconded by Commissioner Munoz, in the case of LDC22-00055 (The Canyons/Canyons Edge Water Tanks), based upon compliance with the applicable findings, to approve the major site plan review, subject to the conditions listed in the staff report. The motion carried unanimously with six (6) commissioners present.*

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Peter Gower, Commissioner
<b>SECONDER:</b>	Arthur Munoz, Commissioner
<b>AYES:</b>	Taylor, Drakulich, Gower, Johnson, Munoz, Velto
<b>ABSENT:</b>	Silvia Villanueva

- 6.2 Staff Report (For Possible Action): Case No. LDC22-00057 (U-Haul Silver Lakes) - A request has been made for a conditional use permit to establish a mini-warehouse facility. The ±9.27 acre site is located at the western terminus of Silver Lake Road, immediately north of US Highway 395. The site is within the General Commercial (GC) and Parks, Greenways, and Open Space (PGOS) zones, and has a Master Plan land use designation of Special Planning Area (SPA). **[Ward 4]** 6:21 PM

Joey Winter, Associate Planner, gave an overview of the staff report.

Disclosures: familiar with site, received emails

Public Comment: None

Questions:

Mr. Winter explained for Commissioner Gower how Conditions 5 and 6 will be enforced. Code Enforcement will respond to any complaints received.

James Molder, Concept Architecture, explained for Commissioner Johnson the function of the proposed warehouse and confirmed it is part of the same U-Haul company.

Chair Taylor requested that site plans used in staff presentations be included in the staff report packets.

*It was moved by Commissioner Velto, seconded by Commissioner Drakulich, in the case of LDC22-00057 (U-Haul Silver Lakes), based upon compliance with the applicable findings, to approve the conditional use permit subject to the conditions listed in the staff report.*

Commissioner Johnson stated he can make the findings based on the applicant's response to his question regarding the warehouse being part of the same entity.

*The motion carried unanimously with six (6) commissioners present.*

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Alex Velto, Commissioner
<b>SECONDER:</b>	J.D. Drakulich, Commissioner
<b>AYES:</b>	Taylor, Drakulich, Gower, Johnson, Munoz, Velto
<b>ABSENT:</b>	Silvia Villanueva

- 6.3 Staff Report (For Possible Action): Case No. LDC22-00059 (US-395 Exit 76 Gas Station and Warehouse) - A request has been made for a conditional use permit to establish: 1) a Gas Station in the Mixed-Use Suburban (MS) zone, 2) a Drive-Through Facility in the Mixed-Use Suburban (MS) zone, 3) crossing of a major drainage way, and 4) fills greater than 10 feet. The ±10.2 acre site is bordered by US Highway 395 to the north, Stead Boulevard to the east, North Virginia Street to the south, and the Stead Spur railway line to the west. The site has a Master Plan land use designation of Suburban Mixed-Use (SMU). **[Ward 4]** 6:32 PM

Joey Winter, Associate Planner, requested a continuance to May 4 on behalf of the applicant.

Public Comment: None

*It was moved by Commissioner Munoz, seconded by Commissioner Velto, to continue this item to the May 4 meeting. The motion carried unanimously with six (6) commissioners present.*

<b>RESULT:</b>	<b>CONTINUED [UNANIMOUS]</b>
<b>MOVER:</b>	Arthur Munoz, Commissioner
<b>SECONDER:</b>	Alex Velto, Commissioner
<b>AYES:</b>	Taylor, Drakulich, Gower, Johnson, Munoz, Velto
<b>ABSENT:</b>	Silvia Villanueva

6.4 Staff Report (For Possible Action): Case No. LDC21-00071 (United Nissan of Reno) - A request has been made for: 1) a conditional use permit to allow: a) an auto dealership use, and b) nonresidential development over one acre within 300 feet of residential zoning; and 2) a major deviation to exceed the 100,000 lumens per acre site lighting standard by less than 50%. The ±4.25 acre site is located on the east side of Kietzke Lane between East Grove and Linden Streets. The site is zoned General Commercial (GC) and has a Master Plan land use designation of Suburban Mixed-Use (SMU). **[Ward 3]** 6:34 PM

Severin Carlson, representative of the applicant, gave an overview of the project.

Nathan Gilbert, Senior Planner, gave an overview of the staff report. Staff received one comment in support of the application.

Disclosures: Drive by site regularly, received email, spoke with applicant, visited site, familiar with site

Public Comment:

Two emails were received in support of this item. The emails were forwarded to the Planning Commission and are part of the record.

Questions:

Mr. Carlson confirmed for Commissioner Johnson that all site lighting will be LED. They are still working on details of the lighting plans to determine whether they will use more light poles or different fixtures on fewer light poles.

Mr. Carlson explained for Commissioner Drakulich that he does not have exact numbers for lumen counts but nearby car dealerships could be approximately 700,000 lumens. With the new code lighting requirements, this project would be more similar to grocery store parking lot lighting than to traditional auto store parking lots.

Mr. Carlson explained for Commissioner Velto the reason they are asking for only a 50 percent increase in lumens while surrounding dealerships have higher lumen counts is because that is all that is allowed by code for a major deviation. Something beyond that would probably require a request for City Council to amend the standard.

Discussion:

Commissioner Johnson stated it is an interesting concept that we are talking about overall lumens as opposed to foot candles because that is really how bright everything is. The applicant may have to have a lot more bright lighting in small areas.

Commissioner Gower asked that staff come back at some point to report how this is being implemented. It sounds like it is a problematic code provision.

*It was moved by Commissioner Johnson, seconded by Commissioner Velto, in the case of LDC22-00071 (United Nissan of Reno), based upon compliance with the applicable findings, to approve the conditional use permit and major deviation, subject to the conditions listed in the staff report. The motion carried unanimously with six (6) commissioners present.*

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Mark Johnson, Commissioner
<b>SECONDER:</b>	Alex Velto, Commissioner
<b>AYES:</b>	Taylor, Drakulich, Gower, Johnson, Munoz, Velto
<b>ABSENT:</b>	Silvia Villanueva

- 6.5 Staff Report (For Possible Action): Case No. LDC22-00058 (Gateway at Galena)  
 - A request has been made for a: 1) tentative map to develop a) 361 residential condominiums, and b) 213 non-residential condominiums; and 2) a conditional use permit to allow for: a) more than 20 single-family attached dwellings in the Mixed-Use Suburban (MS) zone, and b) grading that results in fills greater than 10 feet in height. The ±33.71 acre site contains frontage on Wedge Parkway to the west and is located directly south of the University of Nevada - Reno Redfield Campus. The site is within the Mixed-Use Suburban (MS) zone and has a Master Plan land use designation of Public/Quasi-Public (PQP). **[Ward 2]** 6:56 PM

Karen Downs, Manhard Consulting, gave an overview of the project.

Joey Winter, Associate Planner, gave an overview of the staff report. Staff received several comments with the main concerns being increased traffic, school capacity, and building height.

Disclosures: visited the site, spoke with applicant representative, read emails, spoke with adjacent property owners, familiar with site

Public Comment:

Chris Barrett, STC Ventures LLC, spoke in support of the project.

Voicemail: Rosie Mann expressed concerns regarding water.

Received emails that were forwarded to the Planning Commission and entered in the record.

Questions:

Mike Mischel, Engineering Manager, confirmed for Commissioner Drakulich that the applicant did a traffic study and the levels of service are adequate with this project.

Tray Palmer, Fire Marshall, responded to questions from Commissioner Gower regarding fire response. This is a unique project because it is Sphere of Influence only at this time and so the county would be the first to respond. If it is annexed in the future, Reno fire would be the first to respond and it is about nine minutes away from the closest fire station. The required sprinklers mitigate the fire response time aspect but not the issue of medical response. If there is a wildfire, there are automatic aid agreements with the county.

Mr. Palmer explained for Commissioner Gower that the access points proposed in the plan are not remote enough under our code. That would have to be addressed in the final map.

Ms. Downs confirmed for Commissioner Johnson that the emergency access will have to be reworked through the final map process.

Mike Daniels, developer for the project, stated they would work with the fire department to provide a secondary access that runs out to Mt. Rose Highway.

Ms. Downs confirmed for Commissioner Johnson there would be no internal changes and there would be gated access to Mt. Rose Highway.

Mr. Palmer confirmed for Commissioner Gower that a secondary access that is farther away going to Mt. Rose would work.

Chair Taylor asked staff if there any concerns from the city regarding the delayed medical response.

Mr. Winter stated there are concerns with any project. We evaluate the pros and cons of all the master plan policies. What Mr. Palmer stated outlines the issue with the response time.

Mr. Winter explained for Chair Taylor that any building taller than 55 feet under the zoning code definition of height would require a site plan review. This proposed building will be well below the height that would require additional review.

Mr. Winter explained for Commissioner Johnson that currently the zoning is not compatible with the master plan designation. The Public/Quasi Public designation is a holdover from when this was anticipated to be an expansion of the Redfield Campus. The city is in the process of going through all the wards and looking for discrepancies with the master plan designation and zoning.

Mr. Daniels explained for Commissioner Johnson that there would be roughly a 24 foot vertical elevation difference between the closest existing residence and this project building. The proposed building will be 325 feet away from that existing residence.

Ms. Downs confirmed for Commissioner Johnson that they do not have any concern with making the enhanced landscaping discussed in the presentation a condition.

Mr. Winter explained for Commissioner Gower that a request has been submitted by the applicant to annex this property. There is no condition staff is recommending that they are required to annex. If tonight's requests for a conditional use permit and tentative map are approved, the annexation request will still be heard by City Council. The development as currently designed does anticipate the infrastructure will be public. If City Council does not approve the annexation request, the applicant would have to rework what to do.

Ms. Downs explained that if the annexation request is not approved, they would work with the county on the infrastructure. The annexation request does meet all of the city's annexation policies.



*It was moved by Commissioner Drakulich, seconded by Commissioner Velto, in the case of LDC22-00058 (Gateway at Galena), based upon compliance with the applicable findings, to approve the tentative map, and associated conditional use permits, subject to conditions including changes to Condition 12 proposed by staff.*

There was discussion regarding Commissioner Johnson's suggested condition regarding enhanced landscaping.

Mr. Winter explained that Condition 1 would cover the landscaping discussed.

*The motion carried unanimously with six (6) commissioners present.*

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	J.D. Drakulich, Commissioner
<b>SECONDER:</b>	Alex Velto, Commissioner
<b>AYES:</b>	Taylor, Drakulich, Gower, Johnson, Munoz, Velto
<b>ABSENT:</b>	Silvia Villanueva

6.6 Staff Report (For Possible Action - Recommendation to City Council): Case No. LDC22-00023 (Reno City Center Skyway) - A request has been made for a conditional use permit to construct a skyway (pedestrian bridge) over East Commercial Row, connecting the City Center building (219 North Center Street) to an existing parking garage at 50 East Plaza Street. The proposed skyway crosses East Commercial Row approximately 190 feet west of its intersection with North Center Street. The site is zoned Mixed-Use Downtown – Entertainment District (MD-ED) and has a Master Plan land use designation of Downtown Mixed-Use (DT-MU). **[Ward 5]** 7:56 PM

*(Break taken at 7:44 p.m. Resumed at 7:56 p.m.)*

Garrett Gordon, Lewis Roca, gave an overview of the project.

Nathan Gilbert, Senior Planner, gave an overview of the staff report. Comments from the NAB and Design Review Committee minutes are included in the staff report.

Disclosures: Visited site, spoke with applicants representative, Commissioner Johnson is a member of Design Review Committee

Public Comment:

One email was received. It was forwarded to the Planning Commission and is part of the

record.

Questions:

Mr. Gilbert responded to questions from Commissioner Johnson regarding the findings and policies for pedestrian connectivity. He explained that code does specify that skyways are generally encouraged if they are designed appropriately.

Mr. Gordon explained for Commissioner Johnson that there are Clear Capital employees in Reno offices currently that will be moving to this location and there will be people from the Bay Area relocating here. This proposal is instrumental to their decision to move downtown.

Discussion:

Commissioner Gower stated that a concern of his was the competing master plan priorities in terms of street activation and walkability and the potential for this proposal to take pedestrians off the street. That is a general consideration for skyways in general. It was interesting to hear staff's take on it that it is something that is encouraged in downtown Reno. The way the applicant presented it in terms of it being a package deal with the city center lease with the adjacent parking garage, it fits together. Based on that information, he is comfortable now making that master plan finding.

Chair Taylor stated that because this is really for the internal use of employees with a key card, it wouldn't be taking people off of the street. It is to move people within the employment center and their parking.

***It was moved by Commissioner Velto, seconded by Commissioner Gower, in the case of LDC22-00023 (Reno City Center Skyway), based upon compliance with the applicable findings, to recommend that City Council approve the conditional use permit, subject to the conditions listed in the staff report.***

Commissioner Johnson stated that he disagrees with the idea that this would not take people off the street. This is an opportunity for us to bring an entity downtown and encourage people to go into coffee shops, bakeries and bars in the area. He stated that he is far more interested in the urban development and the walkability they are creating elsewhere in this project and this is detracting from that.

***The motion carried with five (5) in favor and one (1) opposition by Commissioner Johnson.***

<b>RESULT:</b>	<b>APPROVED [5 TO 1]</b>
<b>MOVER:</b>	Alex Velto, Commissioner
<b>SECONDER:</b>	Peter Gower, Commissioner
<b>AYES:</b>	Taylor, Drakulich, Gower, Munoz, Velto
<b>NAYS:</b>	Mark Johnson
<b>ABSENT:</b>	Silvia Villanueva

- 6.7 **Resolution No. :** Staff Report (For Possible Action - Recommendation to City Council): Resolution No. 02-22 Case No. LDC22-00045 (Meridian 120 South Open Space) - A request has been made for: 1) a Master Plan amendment from ±8.3 acres of Mixed Employment (ME) to Parks, Greenways, and Open Space (PGOS), and 2) a zoning map amendment from ±8.3 acres of Industrial Commercial (IC) to Parks, Greenways, and Open Space (PGOS). The site is located on an ±8.3 acre portion of an ±80.64 acre parcel generally located 0.21 miles southwest of the intersection of Boomtown-Garson Road and Old Town Road. The site is within the Mortensen-Garson Neighborhood Plan and Mortensen-Garson Overlay District (MGOD) zone. **[Ward 5] 8:28 PM**

Garrett Gordon, Lewis Roca, gave an overview of the project.

Nathan Gilbert, Senior Planner, gave an overview of the staff report.

Disclosures: Familiar with the site, met with applicant representative, visited site

Public Comment:

One email was received. It was forwarded to the Planning Commission and included in the record.

Questions:

Mr. Gilbert confirmed for Chair Taylor the zoning map amendment was a condition of approval for the tentative map, which was a condition of approval by City Council.

***It was moved by Commissioner Velto, seconded by Commissioner Drakulich, in the case of LDC22-00045 (Meridian 120 South Open Space), based upon compliance with the applicable findings, to adopt the amendment to the Master Plan by resolution and recommend that City Council adopt the Master Plan and zoning map amendments, subject to conformance review by the Truckee Meadows Regional Planning Commission. The motion carried unanimously with six (6) commissioners present.***

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Alex Velto, Commissioner
<b>SECONDER:</b>	J.D. Drakulich, Commissioner
<b>AYES:</b>	Taylor, Drakulich, Gower, Johnson, Munoz, Velto
<b>ABSENT:</b>	Silvia Villanueva

- 6.8 Staff Report (For Possible Action - Recommendation to City Council): Case No. LDC21-00038 (Meridian 120 South Condition Amendments) - A request has been made to amend two conditions of approval associated with Meridian 120 South Villages 1-6. The request includes amendments to Condition No. 4 regarding dwelling unit allocation and deletion of Condition No. 31 regarding a temporary emergency access route for the following cases: LDC17-00061 (Villages 1 & 2); LDC18-00087 (Villages 3 & 4); LDC20-00013 (Villages 1 & 2 Cluster Development); and LDC20-00018 (Villages 5 & 6). The overall ±400.67 acre subject site is located south of the terminus of Boomtown Garson Road and south of Interstate 80 (I-80) in the Large Lot Residential – 1 Acre (LLR1); Single Family Residential – 15,000 Square Feet (SF15); Single Family Residential – 9,000 Square Feet (SF9); Single Family Residential – 6,000 Square Feet (SF6); Multi-Family - 14 dwelling units per acre (MF14); Arterial Commercial (AC); Neighborhood Commercial (NC); Public Facility (PF); and Open Space (OS) zones and is within the Mortensen-Garson Overlay District (MGOD). The site has Master Plan Land Use designations of Large Lot Neighborhood (LL); Single Family Neighborhood (SF); Mixed Neighborhood (MX); Suburban Mixed-Use (SMU); Mixed Employment (ME); Public/Quasi-Public (PQP); and Parks, Greenways, and Open Space (PGOS), and is within the Mortensen-Garson Neighborhood Plan. **[Ward 5]** 8:39 PM

Garrett Gordon, Lewis Roca, gave an overview of the project.

Nathan Gilbert, Senior Planner, gave an overview of the staff report.

Disclosures: Visited site, met with applicant representative, read and received emails, corresponded with members of the community, corresponded with applicant representative, attended community council

Public Comment:

Ed Kaufer spoke in opposition.

Addie Argyris spoke in opposition.

Alice House spoke in opposition.

Dee Anne Radcliffe spoke in opposition.

Ken McNeil spoke in opposition.

Pam McNeil spoke in opposition.

Voice mails received were played at this time.

Correspondence received was forwarded to the Planning Commission and is part of the record.

Questions:

Commissioner Drakulich asked where we are on the total approved units at this point with regard to the 3,000 cap.

Mr. Gilbert explained that in Planning Area 3, the total allowed is 1,789. With the reductions of the Santerra-Quilici projects there remains 153 units in Planning Area 3 available for development. The issue here is not a cap or development potential, it is development allocation. We received direction from the court to adhere to the original MGOD provisions which allocated development potential between developers. This isn't an issue of capacity in Planning Area 3, there remains capacity in Planning Area 3. There also remains multi-family 14 units per acre in the Santerra-Quilici portion of Planning Area 3. The MGOD Handbook allocated specific development potential to individual property owners and so that is the issue at hand with this condition amendment.

Commissioner Drakulich stated if we say no to this project tonight, it sounds like we are not going to even get to the 3,000 mark with other projects around this at this point and with our current housing crisis it would be nice to get to that 3,000 units.

Mr. Gordon stated that Stan Lucas is Planning Area 1, we are Planning Area 3. The Stan Lucas litigation has nothing to do with tonight. The Stan Lucas litigation did not deal with the issue that arose tonight from the 3,000 unit cap to the 300 commercial acres. The City Council denied Stan Lucas 676 lots based on the City Council's decision to apply City of Reno Master Plan policies versus some competing MGOD policies. It did not at all deal with this issue. There is still an additional allocation in Planning Area 3, however it is undisputed in that table that those allocations are for the residentially zoned areas, not commercial. MGOD supports what is being requested tonight.

Tray Palmer, Fire Marshal, confirmed for Commissioner Munoz that he agrees with staff that Condition 31 is no longer needed. The only requirement we have is two points of access. We didn't tell the applicant where to put the two access points, just that they need to be remote and that we can access them from two different points. What is being proposed works for fire code.

Commissioner Gower asked Mr. Palmer how he would respond to the applicant's comment that if the 250 or so units were not constructed, there would be a \$450,000 deficit that would have been paid into constructing and staffing the fire station.

Mr. Palmer explained that money would help but even with that funding it would not complete the fire station. Additional funding from other sources will be needed.

Mr. Gordon confirmed for Commissioner Velto that he agrees with his interpretation of code and the MGOD that the allocation for residential dwelling units does not apply to the commercial acres.

Commissioner Gower asked for staff's interpretation.

Mr. Gilbert stated residential would be allowed in the arterial commercial zone as it would in any other district, subject to the caps specific to the MGOD zone which would limit the overall residential capacity south of I-80. Staff recommends the modification to Condition 4 as proposed in the staff report.

Mr. Gilbert confirmed for Chair Taylor that Condition 31 was added by City Council and Condition 4 was included in the original staff report review by the Planning Commission and ultimately adopted by City Council.

Jasmine Mehta, Deputy City Attorney, confirmed for Commissioner Johnson that viewing the requested condition modifications in light of whether you could have made the original findings is the applicable analysis.

Commissioner Gower asked about the status of the text amendment and how it relates to what they are being asked to decide on tonight.

Mr. Gilbert stated Condition 4 references two options. One is a text amendment and the other is essentially negotiation between developers. The text amendment is on hold pending court decisions on the MGOD in general.

Commissioner Gower asked Where it leaves the applicant if they go with the text amendment option.

Mr. Gilbert stated the text amendment is on hold indefinitely at this time and that leaves the applicant the option of working with area property owners as was contemplated in the MGOD Handbook.

Commissioner Gower asked Mr. Gordon if they go with the option of the text

amendment, where does that leave the applicant.

Mr. Gordon stated the text amendment process was a big comprehensive process. In light of the Stan Lucas litigation, it was put on hold.

Discussion:

Commissioner Gower stated it is frustrating as a planning commissioner to be put in this position. We are being put in between the applicant, the courts and the City Council on this decision. I don't understand why the text amendment can't move forward as an option to resolve this more holistically. We are being asked to make a one off decision on something that could be resolved more holistically. What the applicant is proposing makes sense from a planning perspective but I don't know if it is consistent with 20 years of planning in Verdi.

Ms. Mehta stated we were just served last week with a complaint for damages by the owner of Planning Area 1 regarding the text amendment process we were trying to engage in.

Commissioner Gower asked what we are gaining by making a decision here tonight if the city will just get sued again.

Chair Taylor stated we have to make a decision to either move this to City Council with the recommendation by staff or the recommendation by the applicant. This is not a fun position to be in. We did not approve this and it was overturned at City Council. City Council added conditions and now we are being asked to amend conditions we didn't even approve. Ultimately City Council will have to make a decision on this.

Commissioner Velto stated Condition 4 presumed the city was going to act in good faith and pursue a tentative map. The text amendment was not included as a way to delay the project and prevent it from happening. Just because there is a lawsuit doesn't mean you stop acting. The city already made a decision on this and the project should go through. We should not condition a project as a means of killing it and that is what these conditions are doing. The city may get sued at some point but we should not evaluate that. We should look solely at whether or not we can make the findings here.

***It was moved by Commissioner Velto, in the case of LDC21-00038 (Meridian 120 South Condition Amendments), based upon compliance with the applicable findings, to recommend that City Council delete Condition 31 because it is impossible to satisfy and no longer necessary, and to construct 285 residential dwelling units by deleting Condition 4 because the cap does not apply to arterial commercial and there is a ten***

*percent density increase in the code.*

Commissioner Drakulich asked if the motion includes the applicant's request to amend Condition 4.

Commissioner Velto stated he does not want to include that but clarified that the motion is based on either the arterial commercial or the density increase, not necessarily locking into both.

*Commissioner Drakulich seconded the motion.*

Commissioner Johnson stated we are being asked to change the conditions of approval. I couldn't then and I can't now make the findings of compatibility for this level of density in this location.

Commissioner Gower stated he will not be supporting the motion. The density bonus as it's presented is not accurate. A density bonus wouldn't necessarily apply to a whole planning area. A density bonus applies to a specific site and a project being proposed. The arterial commercial argument relative to the residential dwelling units is compelling and makes sense. The challenge is the need to defer back to the MGOD for the decision which states that residential units, regardless of what the zoning or master plan would allow for, the MGOD says that the residential units cannot exceed 3,000.

Commissioner Velto stated the Handbook says the limitation of 3,000 residential units does not apply to the 176 acres of commercial.

Commissioner Gower agreed that it is an interpretation issue.

*The motion carried with four (4) in favor and two (2) oppositions by Commissioners Johnson and Gower.*

<b>RESULT:</b>	<b>APPROVED [4 TO 2]</b>
<b>MOVER:</b>	Alex Velto, Commissioner
<b>SECONDER:</b>	J.D. Drakulich, Commissioner
<b>AYES:</b>	Kathleen Taylor, J.D. Drakulich, Arthur Munoz, Alex Velto
<b>NAYS:</b>	Peter Gower, Mark Johnson
<b>ABSENT:</b>	Silvia Villanueva

**7 Truckee Meadows Regional Planning Liaison Report**

Commissioner Johnson reported there has not been a Regional Planning Commission meeting since the last Reno Planning Commission meeting and the next meeting will be in May.



**8 Staff Announcements**

- 8.1 Report on status of Planning Division projects.
  - 8.2 Announcement of upcoming training opportunities.
  - 8.3 Report on status of responses to staff direction received at previous meetings.
  - 8.4 Report on actions taken by City Council on previous Planning Commission items.
- 10:04 PM

Jason Garcia-LoBue, Planning Manager, gave an update on City Council actions and staff changes.

**9 Commissioner's Suggestions for Future Agenda Items (For Possible Action)**

Commissioner Johnson followed up with Commissioner Gower's suggestion for a future agenda item about lighting at car lots and the nuance between lumens and foot candles.

**10 Public Comment**

None

**11 Adjournment (For Possible Action)**

The meeting was adjourned at 10:06 p.m.