

**PLANNING COMMISSION  
STAFF REPORT**

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**Date:** January 17, 2018

**To:** Reno City Planning Commission

**Subject:** 7.1. Staff Report (For Possible Action): Case No. LDC18-00020 (410 California Avenue) - A request has been made for a special use permit to increase the building height above 45 feet. The site consists of three parcels totaling ±0.35 acres (APNs 011-213-04, 011-213-05, and 011-213-06) located on the south east corner of California Ave and Creek Place in the Mixed Use/Downtown Reno Regional Center/California Avenue (MU/DRRC/CALI) zoning district. The site has a Master Plan land use designation of Special Planning Area/Downtown Reno Regional Center/California Avenue District.  
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**From:** Brook Oswald, Associate Planner

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**Ward #:** 1

**Case No.:** LDC18-00020 (410 California Avenue)

**Applicant:** Ramble On, LLC

**APN Number:** 011-213-04, 011-213-05, and 011-213-06

**Request:** A request has been made for a special use permit to increase the building height above 45 feet.

**Location:** The site consists of three parcels totaling ±0.35 acres (APNs 011-213-04, 011-213-05, and 011-213-06) located on the south east corner of California Ave and Creek Place in the Mixed Use/Downtown Reno Regional Center/California Avenue (MU/DRRC/CALI) zoning district. The site has a Master Plan land use designation of Special Planning Area/Downtown Reno Regional Center/California Avenue District.

**Proposed Motion:** Based upon compliance with the applicable findings, I move to approve the special use permit, subject to conditions.

**Recommended Conditions of Approval:**

All conditions shall be met to the satisfaction of Community Development 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 apply for all building permits for the project within 18 months from the date of final approval, and continuously maintain the validity of those permits, or this approval shall be null and void.
3. The applicant, developer, builder, property or business owner, 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 readily available upon demand by City staff.
4. Construction hours shall be limited to 7:00 a.m. to 7:00 pm Monday thru Thursday and 8:00 a.m. to 6:00 p.m. on Saturdays. No construction other than dust control and SWPPP shall be allowed on Sundays.
5. Prior to the issuance of a building permit, the applicant shall provide plans that demonstrate the overhead lines shall be undergrounded at a minimum along California Avenue and Creek Lane adjacent to the site and along the southern boundary of the site.
6. Prior to the issuance of a certificate of occupancy, applicant shall provide a site maintenance manual. The manual shall at a minimum contain landscape and irrigation routines, litter removal, dumpster management and cleaning schedule. The property manager shall adhere to the standards and protocols set forth in the manual.
7. Prior to the approval of a building permit the applicant shall provide plans that demonstrate the HVAC, restaurant equipment and any related mechanical equipment is located on the roof of the building and properly screened. Metering utilities shall be incorporated into the building construction and screened from view.
8. Prior to the approval of a building permit the applicant shall provide plans that demonstrate design and construction techniques shall be employed to ensure noise from the commercial uses is mitigated and does not impact the dwelling units directly above.

**Background:** The project site consists of three parcels. Two of the parcels are currently vacant and the third includes a ±4,144 square foot commercial building built in 1980. A demolition

permit and a reversion to acreage will be required prior to a building permit being issued. The applicant is proposing a four story, mixed use building. The building as proposed will be 55 feet to the midpoint of the highest roof pitch. Per Reno Municipal Code (RMC) 18.08.405(3)(2) (Regional Center and Transit Corridor) ,buildings within the California Avenue District shall have a maximum building height of 45 feet. This height may be increased with the approval of a special use permit (SUP). Approval of a variance is not required to increase the height.

Key Issues:

- Compatibility
- Traffic and Parking

**Analysis:**

Land Use Compatibility: The California Avenue District and surrounding area contains a multitude of uses and architectural forms. Uses located within a block of the project, include: multifamily residential units, bars, restaurants, personal service, professional and medical offices, churches, museums and retail. The mixed use project as proposed is compatible with the surrounding uses and the ground floor commercial component is appropriate and supportive of the neighborhood commercial elements. The proposed density is appropriate in the area and supportive of the commercial uses and pedestrian oriented nature of the area. The uses located directly adjacent to the property include: a church to the east and the associated church off street parking to the south; a bar, retail and professional offices across California Avenue to the north and a salon and yoga studio to the west across the Creek Place alleyway (**SUP finding a**).

Urban/Environmental Design: Per RMC Section 18.08.405(3) (Regional Center and Transit Corridor Overlay Districts), if a development contains more than one story and a mix of land use types including residential and nonresidential there are no minimum density or floor area ratios required. The project meets the requirement for this standard. If the proposal did not include a mix of land uses a minimum of 21 residential units per acre or a minimum floor area ratio (FAR) of one would be required. Although not required by RMC the project has a FAR of approximately 3.5 and a residential density is ±98 units per acre (**Exhibit A**).

The building height, measured at the mid line of the highest pitch is 55 feet. The total building height at the peak of the roof line is 58 feet. As proposed, the project is substantially taller than many of the existing one to three story buildings in the immediate area. The building does transition to a lower height on the south side of the project toward the Plumas neighborhood. The south west portion of the building provides a step down to three stories with a roof top deck. The southeast corner provides a step down to one story with a rooftop patio and exterior access to the ground level on the east side. There is an existing three story office build located on the south east corner of the same block.

Existing residential units exist along Creek Place alley to the south of the project. Windows along the alley on these dwellings are limited and existing landscape provides some privacy (**SUP finding h**). Most of the buildings along California Avenue are of older one and two story construction. The recently built Nevada Museum of Art is approximately 675 feet north east of the project site. The contemporary architecture and relative scale the museum is very compatible with the proposed project. With the allowable height of 45 feet and the flexibility of the MU zoning, the redevelopment of the area is supportive of taller buildings and higher densities (**SUP finding e**).

The proposal includes ±9,300 square feet of retail, restaurant and lobby area on the ground floor and 34 apartments on the second, third and fourth floors. Impacts on the residential units located directly above the commercial units are a concern and should be mitigated (**Condition 8**) (**SUP finding f**).

The commercial area of the building is separated from the front property line to provide the required pedestrian amenities per the requirements of RMC 18.08.301(7) (Non Residential and Mixed Use Standards). The required front yard setback in the California Avenue district is zero. The upper residential floors cantilever over this area creating a partially covered sidewalk. The first level of the structure will have a twelve foot setback from the adjacent street curb on California Avenue and will include four feet for street trees, park strips and street furniture. Eight feet will be dedicated as sidewalk per RMC 18.08.405(a) (Regional Center and Transit Corridor Overlay Districts). The applicant will install streetscape improvements in accordance with the Redevelopment District Streetscape Master Plan as applicable. The applicant will also be required to provide 1% of the project cost (minus land cost and HVAC) toward pedestrian amenities. These additional amenities will further the street image of the project and enhance the pedestrian nature of the district.

Per RMC 18.08.301(a)(8) (Non Residential and Mixed Use Standards), where zero foot setbacks are allowed, variations in color, and/or materials on walls are required and wall articulation is not required. The project is in a zone that has zero foot setbacks and as designed exceeds this required minimum. Blank walls are not allowed in the MU zone. The south elevation is currently proposed as a blank wall and will be required to meet code at the building permit process.

The project has incorporated unique fenestration, vertical and horizontal articulation, balcony areas, color and material differences, varying roof pitches and other details on the upper residential levels providing a high level of interest. Articulation and variation of materials is provided on the commercial level. Over 50 percent of the California Avenue street frontage is

devoted to pedestrian entrances, display windows, or windows affording views to retail, restaurant and the lobby space of the residential units (**Exhibit B**).

The lobby space and associated entrance is located along the east elevation of the building. A ten foot set-back on this side provides a plaza space, landscaping, covered bicycle parking and reduces the impact on the adjacent property. The entrance to the onsite structured parking and the dumpster area are located on the west elevation of the building along Creek Lane. The dumpster area is located within the building and will have doors to provide access for pick up, cleaning and screening. The dumpster area is located mid way along the west elevation and oriented away from California Avenue. The grease interceptor for the restaurant use will be located under the dumpsters in this area. The applicant should be required to provide a maintenance manual detailing the maintenance and cleaning of the dumpster area (**Condition 6**).

All restaurant and HVAC mechanical equipment should be located on the roof of the building and screened from view. The equipment will be located toward the center of the roof. This area is flat and the roof pitches of the residential units function as screening. Utility metering equipment should be incorporated into the building architecture and fully screened from view (**Condition 7**) (**SUP finding f**).

RMC 18.08.301 (a)(8) (Signs) requires that all sign design shall be complimentary to the style of the building on which it is placed. Signs shall be an integral part of the building façade and, when facing a local street or walkway, shall be pedestrian oriented. Signs projecting from the building shall not exceed six square feet and shall be located between eight and twelve feet in height. Exterior lighting fixtures used to illuminate a sign shall be mounted on the top of the sign structure, lighting the sign downward. All site lighting will be complimentary to the architecture, use modern LED fixtures and be fully shielded (**SUP finding f and g**).

The required landscaping for the project is five percent of the project site. This percentage is a result of a FAR value over one as well as a residential density of over 30 dwelling units per acre. RMC 18.08.301(10) (Nonresidential and Mixed Use Standards). Development located within the regional centers are required to incorporate a minimum of two sustainable elements into the project. The applicant will be required to provide energy efficient building envelopes and electrical systems, larger caliper trees located in pedestrian amenities, or other elements approved by the administrator. Development is also encouraged to design new structures that meet LEED standards or other nationally recognized sustainability best practices as well as utilize LID development practices.

Public Safety: The site is located within the City of Reno Police service area. There are no noted police related concerns at this stage of the project development. City of Reno Fire Station 5 is

located 1.7 miles away and has an approximate response time of seven minutes. All future development shall comply with the edition of the International Fire Code in effect at the time of development. The building height request is 55 feet to the mid-point of the highest gable roof and therefore does not trigger the requirement for high rise compliance per the International Fire Code and Reno Fire Department amendments. Hydrants shall be installed and tested prior to lumber being brought on site for the construction of the building.

**Public Improvements:** There is no indication that the requested special use permit will have any adverse effect/impact to the City infrastructure. RMC 18.12.603 (Underground Utility Services) does not require the developer underground existing overhead utilities. The overhead utility lines along California Avenue and Creek Lane and on the south side of the site will be required to be undergrounded. The use of zero setbacks and the building height warrant the undergrounding of surrounding utilities in close proximity. The requirement to underground utilities on the project block along California will provide a consistency along the frontage **(Condition 5) (SUP finding c)**.

**Circulation:** The purpose of the parking standards and polices in the MU zone are intended to minimize parking and encourage transit and pedestrian circulation. RMC 18.08.301 (Nonresidential and Mixed Use Base Zoning Districts) states that shared parking is recommended for commercial, residential and mixed uses to maximize efficiency and preserve land for additional commercial uses and open space. RMC 18.08.405(3) (Regional Center and Transit Corridor Overlay Districts) allows the applicant to modify the required parking ratios from the minimum standards to be maximum requirements within the California Avenue District. The applicant would be required to provide a maximum of one off-street parking space per dwelling unit and one additional off street parking stall per ten dwelling units for guest parking. The maximum number of parking spaces is 36 off street parking spaces with two required accessible stalls. The applicant has proposed to provide 28 parking stalls (two accessible) on the basement floor of the building for tenants of the building. The DRRC zoning does not require off street parking for restaurant and retail uses.

A traffic impact analysis (TIA) can be required of any proposed development if there is cause and concern that the development will conflict with existing traffic flows, may impact the traffic operation at intersections, may not provide adequate site access or will likely adversely impact neighborhoods RMC 18.12.903 (Traffic Impact Analysis Requirements). A TIA was provided by the applicant with the purpose to study the potential impact upon the adjacent street network due to commercial uses and higher densities that the extended height limit allows. The conclusion of the analysis is that the mixed use development will have little impact on the adjacent street network **(SUP finding d)**.

Master Plan: As proposed and with recommended conditions, the project appears to be consistent with the following applicable Master Plan policies and objectives: retail uses at street level and limit blank walls to promote vibrant pedestrian and retail environment (UC-1), support public and private effort to improve the downtown (UC-5), encourage the development of attractively designed private off-street parking in the Downtown (UC-7), design the circulation system to minimize traffic impacts (P-8); neighborhood revitalization through infill reuse/conversion (H-2); encourage housing developments to be accessible to persons with disabilities (H-7), new development with intense activity to locate in planned centers and areas served by public transit (CD-1) landscaping appropriate to related environment (CD-30); site access safe, convenient and logical while minimizing impacts on adjacent properties (P-1); development density, building mass and details sensitive to surrounding development (BD-1); Objective #19: Access (**SUP finding b**).

Neighborhood Plan: As part of the Downtown Reno Regional Center Plan, the California Avenue District has been established to preserve the office portion of the district. Although office and other employment land uses are common in this area, supporting land uses including, but not limited to, residential, retail, restaurant, and cultural facilities play a key role in enhancing this vibrant district.

General Code Compliance: As proposed and with recommended conditions, the project is consistent with RMC Title 18 (**TM finding 5**).

Neighborhood Advisory Board: This project was reviewed by the Ward 1 Neighborhood Advisory Board on October 5, 2017. Nine written comments were received all in support of the project. Residents of the Newlands Neighborhood submitted comments and a response letter was provided by the applicant. A copy of the comments is attached to this report (**Exhibit D**).

<b>AREA DESCRIPTION</b>			
	<b>LAND USE</b>	<b>MASTER PLAN DESIGNATION</b>	<b>ZONING</b>
<b>NORTH</b>	Professional offices, restaurant/bar/	Downtown Reno Regional Center/ California Avenue District	MU DRRC/CALI
<b>SOUTH</b>	Parking Lot	Plumas Neighborhood Plan	Professional Office
<b>EAST</b>	Church	Downtown Reno Regional Center/ California Avenue District	MU DRRC/CALI
<b>WEST</b>	Retail/office	Downtown Reno Regional Center/ California Avenue District	MU DRRC/CALI

**Legal Requirements:**

RMC 18.06.405(e)(1)          Special Use Permit

**FINDINGS:**

Special Use Permit: General special use permit findings. Except where specifically noted, all special use permit applications shall require that all of the following general findings be met, as applicable.

- a. The proposed use is compatible with existing surrounding land uses and development.
- b. The project is in substantial conformance with the Master Plan.
- c. There are or will be adequate services and infrastructure to support the proposed development.
- d. The proposal adequately mitigates traffic impacts of the project and provides a safe pedestrian environment.
- e. The proposed site location and scale, intensity, density, height, layout, setbacks, and architectural and overall design of the development and the uses proposed, is appropriate to the area in which it is located.



- f. The project does not create adverse environmental impacts such as smoke, noise, glare, dust, vibrations, fumes, pollution or odor which would be detrimental to, or constitute a nuisance to area properties.
- g. Project signage is in character with project architecture and is compatible with or complementary to surrounding uses.
- h. The structure has been designed such that the window placement and height do not adversely affect the privacy of existing residential uses.

**Attachments:**

- Display Maps (PDF)
- Exhibit A - Floor Plan (PDF)
- Exhibit B - Perspective and Elevations (PDF)
- Exhibit C - Agency Comments (PDF)
- Exhibit D - NAB Comments and Public Comment (PDF)
- Memo - PC - LDC18-00020 (410 California Avenue) (PDF)