

**PLANNING COMMISSION
STAFF REPORT**

Date: April 21, 2021

To: Reno City Planning Commission

Subject: **6.4. Staff Report (For Possible Action): Case No. LDC21-00035 (Mt Rose Commerce Park)** A request has been made for a conditional use permit to allow for: 1) 24 hour uses; 2) disturbance of a major drainageway; and 3) grading that results in cuts greater than 20 feet in depth and fills greater than 10 feet in height. The ±88.68 acre site is located southwest of the intersection of South Virginia Street and Mount Rose Highway. The property is zoned Mixed Use Suburban (MS) and has a Master Plan land designation of Suburban Mixed Use (SMU).

From: Brook Oswald, Associate Planner

Ward #: 2

Case No.: LDC21-00035 (Mt Rose Commerce Park)

Applicant: PDC Reno/LV/PHX, LLC

APN: 049-385-03, 049-392-11, 049-392-12, 049-392-13

Request: **Conditional Use Permit:** for

- a) Uses operating between the hours of 11:00 p.m. and 6:00 a.m.;
- b) Disturbance of a major drainage way; and
- c) Grading that results in cuts greater than 20 feet in depth and fills greater than 10 feet in height.

Location: Refer to Vicinity Maps (**Exhibit A**)

Proposed Motion: Based upon compliance with the applicable findings, I recommend that Planning Commission approve the conditional use permit, subject to conditions.

Summary: The subject site is located on the south side Mt Rose Highway between U.S. 395 and South Virginia Street. With the exception of two billboards, the property is currently undeveloped (**Exhibit B**). The applicant is proposing to construct six development pads (Pads 1 through 5B) with all necessary grading, utilities, back-bone infrastructure, and off-site improvements to support future development of the property, and a business park with 24-hour operations (Pads 6 through 9). A Major Site Plan Review (MSPR) is typically required for disturbance of a major drainageway and grading with cuts deeper than 20 feet and fills greater than ten feet. Since a conditional use permit (CUP) is required for the proposed 24-hour

operations on the business park parcels, code requires the MSPRs to be processed as a CUP. Key project issues consist of: 1) Compatibility with surrounding uses; 2) grading and major drainageway; 3) visual impacts; 4) cultural and environmental concerns; and 5) access and circulation. With all recommended conditions of approval, staff can make all applicable findings and recommends approval of the CUP.

Background: Prior to the adoption of the *ReImagine Reno* Master Plan in December 2017 and the comprehensive update to the zoning code in January 2021, this site was designated as Tourist Commercial within the Redfield Regional Center Plan (RRC/TC). This plan anticipated high intensity, transit-oriented development with the highest intensity concentrated in the TC designation. Additionally, the TC designation allowed for non-restricted gaming. In December 2006, a 900-room, 225-foot tall hotel with non-restricted gaming was approved (LDC06-00566 – Mt. Rose Station). That approval has since expired. Further, the comprehensive code update approved in January 2021 consolidated the Redfield Regional Center into the new Mixed-Use Suburban (MS) zone and retained the gaming permissions through the gaming overlay. The MS district is intended to accommodate a mix of low-intensity, auto-oriented uses, while supporting the gradual transition of the city’s suburban corridors to a mix of higher density residential, retail, commercial, and other employment and service-oriented uses. The *Reimagine Reno* Master Plan and zoning code envisions a much lower intensity development than was originally planned.

The former RRC plan also contained a number of area-specific policies relating to geothermal energy, protection of endangered plant species (Steamboat Buckwheat), integration of development into the natural landscape, reductions in light and glare, and architectural design. Many of these policies have been incorporated into the City’s Master Plan on a broader scale, but are not as sectoral. These topics are discussed further below and incorporated into the project design or proposed as conditions of approval.

Discussion: Key issues related to the application are summarized below.

Compatibility with Surrounding Uses: The subject site is surrounded by: a mix of multifamily residential (Innova Apartments), a large retail center (The Summit), and a future hotel located to the north; vacant land located to the northeast and east; and large geothermal facility, related substation, and Industrial (I) zoned property located to the south.

The proposed ±88.68-acre project consists of two distinct areas with a delineation of intended uses: 1) the mixed-use area; and 2) the business park (**Exhibit C**). The mixed-use area of the project consists of five graded pads to accommodate future mixed-use development. These pads could consist of retail, restaurant, office, residential, or any other general mixed-use development allowed within the MS zone. No uses have been determined on those pads at this time and any

future development will be subject to all applicable development standards and entitlements required in the Reno Municipal Code (RMC). The business park area is located along the southern boundary of the project site and will consist of four large flex-space buildings that can accommodate a variety of future office, research and development, warehouse and distribution, or other business park uses allowed within the MS zone. The applicant is proposing to allow the future uses within the business park area to operate 24-hours a day (**Exhibit D**). While it may be appropriate for uses within the mixed-use area to have operations extending beyond 11:00 p.m. at some future date, there is not enough information at this time to determine whether the appropriate mitigation measures were incorporated into the operations plans or project design. 24-hour operations should only apply to the business park area as outlined in **Exhibit D (Condition 5)**

The segmentation of land uses within the project provide an appropriate transition from the existing multifamily and commercial center to the north and the existing geothermal, electric substation, and industrial land uses to the south. Many of the existing uses within the Summit Mall operate beyond 11:00 p.m. and the existing Steamboat/Galena geothermal plant has 24-hour operations with air cooling fans. By virtue of the location and physical characteristics of the subject site, the proposed project contains a number of additional buffers along the project boundaries to soften the project edge and the transition to surrounding properties. A large setback, grade change, and enhanced evergreen landscape buffer is proposed along the eastern boundary of the project (**Exhibit C**). **Condition 6** is proposed to better define and quantify the term “enhanced evergreen landscaping buffer.” The relocated drainageway will be landscaped and will serve as a buffer along Mount Rose Highway (**Exhibit E**). The subject site is also abutted by two major arterials, which separate the site from the nearest properties by between ±200 and ±250 feet. Combined with the increased setbacks along both frontages, there will be an adequate buffer to the subject site from surrounding properties.

Given that the uses and proposed development is not yet known on Parcels 1 through 5B (mixed-use area) several conditions of approval are proposed for the business park development to ensure that ongoing operations are compatible with any future operations within the mixed-use area:

- **Condition 7:** A six-foot tall screening wall that is architecturally compatible with the proposed business park buildings shall be constructed along the northern boundary of the business park where it abuts Pads 5A and 5B. A landscaping buffer with a combination of trees and shrubs shall be placed on each side of the wall.
- **Condition 8:** With the exception of Pad 6, truck docks shall be oriented to the interior of the site and shall not be visible from any public right-of-way. A combination of a berm and evergreen landscaping shall be provided along the west property line of Pad 6 to ensure the dock doors will be screened.

- **Condition 9:** Truck access will be limited to the extension of Herz Boulevard, with trucks prohibited on the shared roadway with Pads 5A and 5B.

To further ensure compatibility with all surrounding properties, hours of construction are recommended to be limited (**Condition 10**).

Visual Impacts

While the site is not within the Mount Rose Scenic Corridor boundary, it is within close proximity. The current Master Plan and former Redfield Regional Center Plan contain numerous polices about incorporating design features that are complimentary to the natural environment. Given that architecture and site development specifics are not known at this time, the following conditions are recommended to ensure the proposed project is complimentary to the natural environment, is compatible with surrounding uses, and does not have a negative visual impact to the community:

- **Condition 11:** Future lighting shall be required to comply with code requirements outlined in RMC 18.04 Article 13 and shall utilize state of the art Dark Skies standards.
- **Condition 12:** All architecture within the proposed business park shall use natural or earth-tone colors that do not contain elements that would create glare.
- **Condition 13:** The applicant has agreed to remove the two existing billboards on the site. This condition formalizes their intent to remove the billboards.
- **Condition 6:** Perimeter landscaping, including the enhanced evergreen buffer along the eastern boundary and the drainageway landscaping along the northern boundary, and all streetscape landscaping shall be installed prior to any the construction of any buildings on any of the pads. This will ensure landscaping begins to mature quicker than the overall development of the project. This is consistent with how other large centers with pad development occur.

In addition to the general requirements for items like parking, landscaping, and lighting, RMC 18.04, Article 10 contains numerous design standards to address site design and building architecture, including, but not limited to building orientation, building architecture and ground-level interest, site access and circulation, and pedestrian amenities. These design standards will encourage buildings to be focused more toward the street and clustered with key pedestrian amenities such as plazas, courtyards, or enhanced landscaping, ultimately creating a visually appealing street frontage for the project.

Grading (Cuts and Fills) and Major Drainageway: A majority of the subject site has slopes below 15% with the site generally sloping $\pm 5\%$ from the southwest to the northeast. Slopes exceed 15% in areas near the existing drainageway. The current location of the existing drainageway makes it difficult to meet the MS zoning requirements for building placement and orientation, and to provide necessary access and on-site circulation. As such, the drainageway

needs to be moved, which triggers most of the proposed fill slopes. A small cut slope exists on Pad 6 adjacent to the power substation (**Exhibit F**). It is the intent of the applicant to balance the dirt on the site. This will help reduce truck traffic during construction from either import or export of dirt. Mass grading, backbone infrastructure improvements, and development of the business park will occur in several phases (**Exhibit G**). Retaining walls and 3:1 slopes are used throughout the site, which will allow for landscaping of slopes and ultimately reducing the visual impact of grading. The large fill slope along South Virginia Street has incorporated undulating contours to mimic natural slopes. **Conditions 14 and 15** are recommended to ensure the final slope design and use of any rip rap blend with the natural environment. As conditioned, the proposed project meets all grading standards in code.

As noted above, a major drainageway traverses the site from the west boundary and flows to the northeast portion of the site ultimately entering the Steamboat Ditch on the east side of Virginia Street off of the project site. Relocating the drainageway is necessary to provide proper access and circulation to the site, and to provide a site that can accommodate development that meets the code standards for the MS zoning designation. The existing channel has been altered by previous construction activity in the surrounding area and does not support wetland environment or riparian habitat.

Staff has been contacted by a representative of the Army Corp of Engineers who recommended the applicant have the site investigated to determine if the stream in question is an ephemeral or intermittent aquatic resource, as defined by the Navigable Waters Protection Rule (NWPR), effective June 22, 2020. If the stream is an ephemeral feature then it is not federally jurisdictional, as those features are specifically excluded from our jurisdiction under the NWPR. If the stream is an intermittent feature then it would be jurisdictional and the proposal would require a Section 404 Clean Water Act permit (**Condition 16**).

The drainageway will remain in its current state both upstream and downstream of the project area and will be relocated along the project north boundary adjacent to Mt. Rose Highway. The drainageway will be stabilized by riprap and revegetated by native seed mix. The reconstructed and relocated drainageway will safely convey the 100-year 24-hour storm event and will remain an open channel with the exception of two driveways that will cross over the channel.

Development of the site shall comply with the PWD, including provisions for post construction storm water quality management. The applicant will provide an approved final hydrology report addressing on-site and off-site storm water flows, detention, and facility capacities for the pre-development and post-development site conditions. All on site stormwater and drainage facilities will be private (**Condition 17**). Prior to obtaining any building permit for drainageway disturbance, the applicant will need to provide all plans and technical information

demonstrating compliance with all general standards and standards for disturbed drainageways in 18.04.104 (**Condition 18**).

Environmental and Cultural Resources: The applicant completed a cultural resources survey at the end of 2020 to determine if significant cultural resources were located on the site. No resources or sites within the project boundary meet National Register of Historic Places (National Register) eligibility criteria. It was determined that mitigation measures were not necessary prior to development of the site. Due to the historic context of the area, significant cultural resources may be unearthed during construction. **Condition 19** is proposed to require the applicant to contact the State Historic Preservation Office (SHPO) should any resources be uncovered. To further highlight the historic context of the area, the applicant should work with the City of Reno Community Development Department and other applicable State agencies to create plans that detail historic markers and interpretive panels that could be incorporated into the pedestrian network (**Condition 20**). An existing abandoned structure currently exists on site. **Condition 21** is recommended to salvage some of the materials of the existing building and incorporate them into aspects of the project.

A biological report was provided and small populations of the protected Steamboat Buckwheat are present on the property (**Exhibit H**). The applicant has provided plans that demonstrate the known population will be avoided, if there is a modification to the plan of other populations are discovered the applicant has provided a Conditional Permit for the Disturbance or Destruction of Critically Endangered Species (**Condition 22**). Various noxious plants and weeds may be present on the vacant site and should be identified properly removed prior to grading and the site maintained in perpetuity of the development (**Condition 23**). The Nevada Department of Wildlife were contacted related to the project and no comments were received.

This approval would allow for mass grading of the site without a known timeline for development within the mixed-use area. If the specific development does not proceed in a timely fashion there is the potential for negative environmental impacts such as water/soil runoff and visual eyesores with no definite timeline for any development to infill the area. To ensure that minimal impact and risk is assumed with grading activities, the project is proposed to be phased per **Exhibit G**, revegetation bonding will be provided, and soil stabilization/preventive erosion measures will be completed per RMC and the PWDM.

Access and Circulation: As designed, the project is not anticipated to negatively impact the traffic in the area. Since no specific tenants for the subject property are known at this time, assumptions for trip generation numbers were based on assumed land uses. The land uses assumed in the study include multifamily uses, warehousing, industrial, office, restaurant, and convenience store uses. The anticipated traffic improvements based on the study include:

- Deceleration lanes at the main project entrance to Mt. Rose Highway;

- Expansion of two driveway locations along S. Virginia Street; and
- Modification of the existing traffic signal at Herz Boulevard and Mt. Rose Highway.

Additional improvements may be warranted based on updated traffic studies that will be required when each parcel develops (**Condition 24**). Mt. Rose Highway is a Nevada Department of Transportation roadway and all permits required for work in this roadway shall be obtained (**Condition 25**). All interior roadways and landscapes will be private (**Condition 17**).

Pedestrian connectivity will be provided in accordance with RMC and the PWD. Prior to the approval of a building permit, the applicant shall provide an on-site sidewalk/pedestrian connectivity plan depicting the existing and proposed pedestrian routes and detail improvements meet code and are to the satisfaction of Community Development staff (**Condition 26**).

Utilities: All necessary utilities to serve the proposed development (e.g. sewer, water, power, etc.) are in close proximity and can be readily extended to serve the subject site. Conditions have been provided that ensure that all utilities are in place to serve each phase through the development cycle (**Condition 27**). No concerns were identified in the preliminary storm water, geotechnical and traffic reports provided. The proposed sanitary sewer system will connect to existing utilities located on the north side of the project at the intersection of Mt. Rose Highway and Herz Boulevard. All onsite sewer infrastructure will be private (**Condition 17**). Water will be provided by TMWA and sanitary sewer will be provided by at the intersection from the City with treatment provided by the Truckee Meadows Water Reclamation Facility. Each building permit will be required to provide a final sanitary sewer study.

Public Services: All Fire Department response times can be met, with the nearest station response estimated at four minutes. Emergency access may be required to future development and individual pads should ensure adequate emergency service access (**Condition 28**). The Police Department did provide review. With no proposed structures a complete Crime Prevention through Environmental Design (“CPTED”) analysis could not be provided.

Master Plan Conformance: The proposed project has a Suburban Mixed Use (SMU) land use designation and is within a Mixed-Use area designated as a Community/Neighborhood Center in the Structure Plan. As proposed and with the recommended conditions, the project is in substantial conformance following applicable Master Plan goals and policies:

- Policy 1.2B: Modern Industrial Hub
- Policy 2.1A: Growth Tiers
- Policy 2.1B: Concurrency Management System
- Policy 2.1C: Level of Service Targets

- Policy 4.1B: Geographic Diversity
- Policy 5.2D: System Capacity
- Policy 5.2G: Access Management
- Policy 6.1A: Fire and Medical Emergency Response
- Policy 7.1D: Environmentally-Sensitive Areas
- Policy 7.1F: Major Drainageways
- Policy SD.6: Endangered Species
- Policy SD.14: Site Balancing
- Policy SD.17: Invasive and Noxious Plant Species
- Policy SD.18 Historical and Cultural Resources
- Policy SD.19: Light Pollution

Public and Stakeholder Engagement: The project was reviewed by various City divisions and partner agencies and comments were incorporated into the project analysis (**Exhibit I**). Although not required, an online Town Hall meeting was conducted by the March 29, 2021. A summary of this meeting has been provided (**Exhibit J**). The public was generally concerned with what uses were allowed, where the 24-hour operations would be allowed, whether the billboards would be removed, what type of signage would be onsite, whether the historic barn would be incorporated into the site design, and whether technical studies for plants, wildlife, cultural resources, and traffic were done. 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 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 a building permit within 18 months or this approval shall be null and void.
3. Prior to the issuance of any building permit, 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.

4. 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.
5. 24-hour operations shall be limited to the business park area on Pads 6, 7, 8, and 9. Any 24-hour operations within the mixed-use area shall be subject to all applicable entitlements.
6. Prior to the approval of building permit for site improvements, the applicant shall have landscaping plans demonstrating all perimeter and streetscape landscaping will be installed per code. An enhanced evergreen landscape buffer shall be provided along the eastern slope of Pad 9 to adequately buffer any future development on Pad 9 from South Virginia Street. The enhanced evergreen landscape buffer shall consist of 150% of code required tree and shrub ratios, and shall be a majority of evergreen species to ensure year-round screening is achieved. All perimeter and streetscape landscaping shall be installed prior to any buildings being constructed.
7. Prior to the issuance of a building permit for site improvements, the applicant shall demonstrate that a 6-foot tall screening wall that is architecturally compatible with the proposed building will be installed between Pads 5A and 5B and the proposed business park. A landscape buffer with a combination of trees and shrubs shall be provided on both sides of the wall. The wall and landscaping shall be installed prior to the first certificate of occupancy in any building on Pads 7, 8, or 9.
8. Prior to the issuance of any building permit, excluding grading, the applicant shall provide plans showing that all truck docks will be oriented away from exterior property lines and will not be visible from any public rights-of-way. A combination of a berm and evergreen landscaping shall be provided along the west property line of Pad 6 to ensure that dock doors will be adequately screened.
9. Prior the issuance of a building permit, excluding mass grading, for Pads 6, 7, 8 or 9, the applicant shall have plans approved that demonstrate signage will be installed to prohibit truck access to all roads except the extension of Herz Boulevard. Truck access shall expressly be prohibited on the shared roadway with Pads 5A and 5B.
10. 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 the hours of 8:00 a.m. and 6:00 p.m. on Saturday. There shall be no construction on Sundays, excluding dust control and Storm Water Pollution Prevention Plan measures. A note to this effect shall be placed on the title sheet of all building permit plan sets and a sign shall be posted at the construction site. If the construction hours need to be varied for the pouring of concrete slabs, a plan

detailing the construction operations and provisions to minimize impacts on nearby residential areas shall be submitted and approved to the satisfaction of the Administrator.

11. Prior to the issuance of a building permit, the applicant shall have plans approved demonstrating that all exterior site lighting will utilize code requirements for exterior lighting, including Reno Municipal Code (RMC) Chapter 18.04, Article 13 (Exterior Lighting).
12. Prior to the issuance of any building permit for buildings on Pads 6, 7, 8, and 9, the applicant shall have plans approved demonstrating that buildings materials and colors are earth tone and that non-reflective material is used to avoid potential for glare.
13. Prior to the approval a grading permit, the applicant shall provide documentation to Community Development staff that verifies the existing billboard has been removed.
14. Prior to the issuance of any grading permit, the applicant shall have plans approved that demonstrate the color of the riprap will match the surrounding natural landscape and will be treated with Permeon or similar product. The riprap shall also be backfilled with soil and revegetated.
15. All created slopes exceeding 20 feet in height shall provide horizontal and vertical changes to vary the flat-engineered look to these slopes by incorporating a mixture of 2:1, 3:1 and 4:1 slopes. Talus slopes, embedded boulders, landscaping, rockery walls or other similar methods can also be used to break up these slopes. All areas disturbed by project grading shall be landscaped or revegetated with a seed mix consistent with the adjacent undisturbed slopes. A note shall be added to each grading sheet as follows:

GRADING NOTE: UPON COMPLETION OF THE GRADING AND PRIOR TO APPLICATION OF REVEGETATION MATERIALS, REPRESENTATIVES FROM THE DEVELOPER, THE CONTRACTOR, THE ENGINEER OF RECORD AND CITY OF RENO SHALL MEET ON THE SITE TO DETERMINE THE FINAL SLOPE GRADING AND SLOPE TREATMENTS

16. Prior to the issuance of any permit the applicant shall have the site investigated to determine if the major drainageway is an ephemeral or intermittent aquatic resource as defined by the Navigable Waters Protection Rule (NWPR), effective June 22, 2020. If the stream is an intermittent feature then it is jurisdictional and the project would require a Section 404 Clean Water Act permit from our office. The applicant shall provide the analysis and all permits, if applicable, to City staff for review prior to issuance of any permit.

17. All on site streets, drainage, sewer, and storm drain improvements shall be privately owned and maintained. An approved maintenance entity for said improvements shall be established prior to the recordation of a parcel map.
 - a. Prior to the approval of a parcel map the applicant shall demonstrate that all private streets and associated backbone sidewalks and landscape will be placed on a separate common area parcel, meeting all code requirements for easements for private streets.
 - b. Prior to the issuance of any permit for site improvements, excluding grading, the applicant shall provide an operations and maintenance manual for all onsite private storm drain infrastructure for review and approval. The manual must provide details needed to conduct ongoing inspections and maintenance to the facilities after project completion. The manual, along with ongoing maintenance and inspection reports, shall be kept up-to-date and available for City review and inspection.
18. Prior to the issuance of any building permit that will disturb the major drainageway, including grading, the applicant shall provide all plans and technical studies demonstrating compliance with all general standards and standards for disturbed drainageways in RMC 18.04.104.
19. If human remains, human burials, burial cairns, or other significant archeological items are disturbed or identified during any construction, all work in the immediate vicinity must cease, the discovery must be secured, and the party responsible for the construction must immediately contact both the appropriate law enforcement and/or the State Historic Preservation Office per NRS 383.170.1(a). If bones are uncovered while digging, there shall be no attempt to excavate the materials but the site shall be secured with immediate contact of both the appropriate law enforcement and the State Historic Preservation Office. Failure to provide notice to the State Historic Preservation Office of a discovery of a Native American burial is a violation of state law and can result in criminal penalties under NRS 383.180.2.
20. Prior to the approval of each building permit, excluding mass grading, the applicant shall provide a plan showing the details and location of historic markers and/or interpretive display panes incorporated into the pedestrian network. All markers and panels shall be developed in coordination with the City of Reno and all applicable State agencies.
21. Prior to the approval a demolition permit, the applicant shall note how the exiting old building will be salvaged and incorporated into the future development. Prior to the approval of a building permit for site improvements, the applicant shall demonstrate how the salvaged building materials have been incorporated into the site design.

22. Prior to the issuance of any permit for ground disturbance, the applicant shall provide City staff with a qualified botanist survey of the site that maps endangered and/or protected species and all appropriate permits and approvals from the Nevada Department of Forestry subject to Nevada Revised Statutes 527.260 to 527.300 inclusive. A Steamboat Buckwheat management plan shall also be provided.
23. Prior to the approval of a grading permit, the applicant shall demonstrate that a noxious weed monitoring and adaptive management plan has been prepared to address construction concerns and ensuring ongoing consistent monitoring, prevention, and removal. This plan shall be implemented and enforceable throughout the life of the project.
24. Prior to the approval of a building permit for site improvement permit the applicant shall provide plans that demonstrate all on and off site traffic improvements will be constructed per the traffic report. An updated traffic study shall be provided for each building permit. The applicant shall be responsible for completing any identified improvements needed, notwithstanding any obligation for improvements pursuant to Conditions 17.
25. Prior to the issuance of any certificate of occupancy, the applicant shall provide all necessary approvals from the Nevada Department of Transportation (NDOT) for improvements within the NDOT right-of-way. All improvements within the NDOT right-of-way shall be completed and accepted by NDOT prior to granting any certificate of occupancy.
26. Prior to the approval of each building permit, excluding mass grading, the applicant shall provide an on-site Sidewalk/Pedestrian Connectivity Plan depicting the existing and proposed pedestrian routes and facility improvements to the satisfaction of Community Development. All future development shall have pedestrian connectivity to the intersection of Mount Rose Highway and Herz Boulevard.
27. A parcel map or boundary line adjustment shall be recorded prior to any certificate of occupancy being issued. Prior to the first certificate of occupancy being issued for any parcel within Phase 1, all improvements identified within the phasing plan for both Phase 1 and 2 shall be constructed. Prior to the first certificate of occupancy being issued for any parcel within Phase 2, all improvements identified within the phasing plan for Phases 1, 2, and 4 shall be constructed. Modifications to the phasing plan and resulting infrastructure requirements for each phase are subject to the approval of the Administrator.
28. Prior to the issuance of any permit, excluding grading, the applicant shall have plans approved that include adequate emergency access to the subject site(s) and adjacent sites

including, but not limited to, the installation of an emergency access gate with a Knox Key Switch, Knox Vault, or other approved method of emergency access to the approval of the Fire Department and Community Development Department.

Findings:

General Approval Criteria: 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 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.

Conditional Use Permit: In addition to meeting the criteria in Section 18.08.304(e), the following findings shall be made prior to granting a conditional use permit pursuant to RMC 18.08.605(e):

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.

Attachments:

- Exhibit A - Vicinity Maps (PDF)
- Exhibit B - Existing Conditions Map (PDF)
- Exhibit C - Site Plan (PDF)
- Exhibit D - 24-hour Operations (PDF)
- Exhibit E - Landscape Plan (PDF)
- Exhibit F - Grading and Utilities (PDF)
- Exhibit H - Steamboat Buckwheat Analysis (PDF)
- Exhibit I - Agency Comments (PDF)
- Exhibit J - Summary of Townhall Meeting (PDF)