



**CITY OF SPARKS, NV  
COMMUNITY  
SERVICES  
DEPARTMENT**

**To:** Mayor and City Council

**From:** Marilie Smith, Administrative Secretary

**Subject:** Report of Planning Commission Action  
PCN15011

**Date:** April 13, 2015

**RE:** PCN15011 – MARINA VILLAGE AMENDMENT TO A PLANNED DEVELOPMENT - Consideration of and possible action on a request for Tentative and Final approval of an amendment to the Marina Village Planned Development Handbook to allow for greater flexibility in the types, height, and design specifically related to the mixed use buildings and other matters properly related thereto, in a planned development totaling 32.5 acres in size in the PD (Planned Development) zoning district located between Sparks Marina Lake and Harbour Cove Drive on a site generally located south of E. Lincoln Way, east of Sparks Marina Park, and west of the Legends.

An agenda item from Senior Planner Karen Melby recommending an amendment to the Marina Village Planned Development. The proposed amendment allows the Marina Villas and Marina Square to be a maximum of five stories while maintaining the maximum height of 70 feet. The new architectural elevation and site plan for Marina Villas has been added to the planned development handbook. The amendment does not change the total maximum area for the commercial, restaurant, office and residential units. The proposed amendments are to facilitate the completion of the existing unfinished garage structure which has been stalled since 2007. This is also a request for a final of the Marina Development Handbook. Staff is recommending approval of both the tentative and final handbook.

Dane Hillyard of Greenstreet, representing the applicant and in partnership with David Dahl and LandCap, LLC, introduced himself and made a brief presentation regarding the design and features of the proposed project. The amendment will allow the developers to bring the color scheme and materials up to date with a more contemporary design while maintaining the Marina flavor. Mr. Hillyard also provided an overview of how the current parking structure will be incorporated in the new project. The project will provide a resort style environment while maintaining the original footprint.

Commissioner Cammarota asked if there were still plans to incorporate a lighthouse in the project. Mr. Hillyard stated that no, but there were other features being added to give the project a Marina flavor.

Commissioner Lean expressed that he is very excited to see this project move forward. Commissioner Lean also shared concern regarding the term “potentially” that was used on page 11 of the Staff Report. The sentence reads, “Does not potentially vary the proposed gross residential density....”. Commissioner Lean would like the word potentially removed to provide clarification and facilitate Planning Commission and City Council approval. Ms. Melby apologized and stated that she did not intend for the statement to be vague. Mr. Thornley recommended adding language to the motion statement for this item for clarification.

#### PLANNED DEVELOPMENT FINDINGS:

PD1 The plan is consistent with the objective of furthering the public health, safety, morals and general welfare by providing for housing of all types and design. This amendment does not change the uses but allows greater flexibility in how Marina Village Planned Development is built out. The two remaining areas are mixed use buildings with residential units on the upper floors.

PD2 The plan is consistent with the objective of furthering the public health, safety, morals and general welfare by providing for necessary commercial and industrial facilities conveniently located to the housing. The amendment does not change the nature of the planned development. It will still be a mixed use project.

PD3 The plan is consistent with the objective of furthering the public health, safety, morals and general welfare by providing for the more efficient use of land and public or private services. The amendment facilitates the completion of Marina Village as a mixed use project. The changes permit some ability to adjust the number of stories and include the new architecture.

PD4 The plan is consistent with the objective of furthering the public health, safety, morals and general welfare by providing for changes in technology of land development so that resulting economies may be available to those in need of homes.

This amendment does not affect the potential for housing in the planned development and housing remains a major component in the build out of Marina Village Planned Development. The proposed amendment to the planned development handbook allows the development to have updated architecture for both the Marina Villas and Marina Square buildings.

PD5 The plan is consistent with the objective of furthering the public health, safety, morals and general welfare by providing for flexibility of substantive regulations over land development so that proposals for land development are disposed of without undue delay.

The amendment would provide the developer the opportunity to change the number of stories (from 4 to 5), while maintaining the maximum height of 70 feet. The proposed changes are intended to restart development of the Marina Villas project, which has been stalled since the start of the 2007 recession. Given the substantial investment to date in the project, its prominent location on the Marina waterfront and the blighting influence of the unused four story parking structure; it is important to the community to facilitate the completion of this project without undue delay.

PD6 The plan does not depart from zoning and subdivision regulations otherwise applicable to the property, and these departures are in the public interest for density.

The amendment to the Handbook Development Standards potentially allows an increase in the unit count, a positive for this location within the TOD Corridor. The potential density of Marina Villas is 47 dwelling units per acre. The amendment does not change the types of uses allowed.

PD7 The plan does not depart from zoning and subdivision regulations otherwise applicable to the property, and these departures are in the public interest for bulk. The amendment does not significantly change the size or mass of the buildings. Though this amendment increases the maximum number of stories to five from four, the maximum height of 70 feet does not change. This does not change the bulk of the building.

PD8 The plan does depart from zoning and subdivision regulations otherwise applicable to the property and these departures are in the public interest for use. The development standards establish landscape, architecture, setbacks, height and lighting restrictions for the buildings placed within the planned development. The handbook does not propose any changes to these standards.

PD9 The ratio of residential to nonresidential use in the planned development is: The proposed amendment does not change the ratio of residential to nonresidential use. The nonresidential uses, excluding the parking garage, will be approximately 15% of the project.

PD10 Common open space in the planned development exists for what purpose, is located where within the project, and comprises how many acres (or what percentage of the development site taken as a whole). The amended handbook would maintain the same landscape standards. The planned development is in this location to take advantage of one of the prime open space and recreational assets within the City of Sparks, the Sparks Marina Lake and Park.

PD11 The plan does provide for the maintenance and conservation of the common open space by what method.

The Marina Village Development Standards Handbook does address the maintenance and conservation of the common open space through an association.

PD12 Given the plan's proposed density and type of residential development, the amount and/or purpose of the common open space is determined to be adequate.

The planned development handbook requires a percentage for landscaping consistent with Title 20 for commercial projects. The proposed landscape and amenities will provide sufficient landscaping/open space to meet the intent of the common space for residential and commercial uses.

PD13 The plan does provide for public services. If the plan provides for public services, then these provisions are adequate.

The planned development provides for public services to serve the proposed residential and commercial land uses as part of this planned development.

PD14 The plan does provide control over vehicular traffic.

The amendment does not change the pedestrian or vehicular circulation. The property is located south of Lincoln Way, which is an existing minor collector. As part of this handbook, there are no proposed changes to the existing streets and does not require any construction of new streets.

PD15 The plan does provide for the furtherance of access to light, air, recreation and visual enjoyment.

The standards in the planned development handbook establish landscape requirements for the areas along the street frontages and within the future development.

PD16 The relationship of the proposed planned development to the neighborhood in which it is proposed to be established is beneficial.

Marina Village has been developing as a mix of residential, commercial and office land uses. There are no changes proposed to the access to the surrounding neighborhood and Marina Lake Park. The walking path around the Marina Lake will be kept open during construction.

PD17 To the extent the plan proposed development over a number of years, the terms and conditions intended to protect the interests of the public, residents and owners of the planned development in the integrity of the plan are sufficient.

Approvals for development plans of Marina Village started in 2000. The approved tentative handbook was to develop a mix of land uses. The tentative handbook was approved originally with mixed use land use and this amendment does not change original concepts for development of the property.

PD18 The project, as submitted and conditioned, is consistent with the City of Sparks Master Plan.

The Land Use Plan Goals and Policies in the Master Plan update that are also relevant to this proposal include:

GOAL LU1: To create a growth pattern which assures flexible, feasible and efficient developments and which includes natural and cultural amenities.

**POLICIES**

LU1a. The City will support a preferred growth pattern which applies consistent and uniform standards to areas planned for similar uses.

**ACTION STRATEGIES**

Allow only developments which meet the proper land use designation of the City's Master Plan and the Regional Master Plan.

This proposed amendment to Marina Village Planned Development Handbook includes development standards that address flexibility and efficient development of the Marina Area. This request is to provide the developer greater flexibility to complete the project to serve residents and visitors to the Sparks Marina.

PD19 The project is consistent with the surrounding existing land uses. The surrounding land uses and Zoning is summarized in the table below:

Direction	Land Use / Zoning
North	Mini Storage / TOD (Transit Oriented Development)
South	The Legends, Sparks Marina Lake Park and I-80 / NUD – The Legends and R1-40
East	Vacant , The Legends / NUD (New Urban District)
West	Sparks Marina Lake Park / R1-40

Marina Village is located in an area of a mix of uses with a concentration of commercial land uses. The proposed mixed-use development is consistent with the development of the area.

PD20 Public notice was given and a public hearing held per the requirements of the Sparks Municipal Code.

Public notice was given. The Planning Commission and City Council meetings function as the public hearing per the requirements of SMC and NRS.

PD21 Modification of Marina Village Planned Development furthers the interest for the City and the residents and preserves the integrity of the plan.

When considering rezoning a Planned Development, the City must be able to identify that the "modification" is to "further the mutual interest of the residents and owners of the planned unit development and of the public in the preservation of the integrity of the plan as finally approved," NRS 278A.380 (2).

The revised plan in the planned development handbook maintains the integrity of the plan by retaining land uses that were originally approved in the tentative handbook for Marina Village. The tentative handbook was approved originally with mixed use residential land use and this amendment does not change original concepts for development of the property. The proposed amendment facilitates the completion of the parking garage structure into a mixed use building and will eliminate the blighting impact of the neighborhood.

#### FINAL HANDBOOK

Staff has reviewed the final handbook for the Marina Village Planned Development. Based on the provisions listed in NRS, staff is of the opinion that the proposed amendment of the Marina Village Planned Development is in substantial compliance with the tentatively approved plan as approved by the City Council. The final draft handbook:

- Does not vary the proposed gross residential density while it allows five rather than four stories, the overall maximum height of 70 feet is maintained. There is no increase in intensity of the Marina Village Planned Development Standards Handbook. Maintaining the maximum height does not change in bulk of the buildings;
- does not vary the proposed ratio of residential to nonresidential use;
- does not reduce the common open space area;
- there is no increase to the floor area proposed for the nonresidential use from the approved tentative handbook; and
- there is no increase in the total ground areas covered by buildings nor is there substantial change in the height of buildings. There are no changes proposed in the final Handbook.

It is staff's opinion that the final draft amendment for the Marina Village Planned Development Standards Handbook does not substantially vary from the five criteria and conforms to the tentative handbook. Due to the fact that this request is an amendment to a recorded final handbook, staff determined this amendment should be reviewed through a public hearing process.

The public hearing was opened.

The public hearing was closed.

MOTION: Planning Commissioner Lean moved to forward a recommendation for tentative and final approval of a request for an amendment to the Marina Village Planned Development Handbook associated with PCN15011, adopting Findings PD1 through PD21 and the facts supporting those findings as set forth in the staff report except that the Amendment as proposed will not vary the project density. Because the request includes final approval, the Planning Commission does not recommend that the City Council require a bond at this time as stated in NRS 278A.490.

SECOND: Planning Commissioner Sanders.

AYES: Planning Commissioners Fewins, Cammarota, Lean, Nowicki, Sanders, and Sperber.

NAYS: None.

ABSTAINERS: None.

ABSENT: Commissioner Voelz.

Passed.