

**City Of Sparks
Planning Commission Item**

Meeting Date: May17, 2012

Subject: **PCN12009**, Public Hearing, Consideration and possible action on a Master Plan Amendment and Rezoning request to change the land use on 3.37 acres from Office Professional (OP) to General Commercial (GC) and to change the zoning from PO (Professional Office) to C2 (General Commercial) on a site 3.37 acres in size generally located east of Vista Boulevard, south of Basco Way, and north of Iratcabal Drive, Sparks, NV.

Petitioner: **DDC – II, LLC**

Presenter: Tim Thompson

Recommendation: **The Community Services Department recommends forwarding a recommendation for certification by the City Council of PCN12009; see suggested motions below.**

Financial Impact: **N/A**

Business Impact (per NRS Chapter 237):

A Business Impact Statement is Attached.

A Business Impact Statement is Not Required because:

This is not a rule;
(Term excludes vehicles by which legislative powers are exercised under NRS Chapters 271, 278, 278A, and 278B.)

Background / Analysis / Alternatives

See Attached Report.

SUGGESTED MOTIONS

Master Plan Amendment

I move to approve the Master Plan Amendment Resolution #194 and forward a request of certification to the City Council for the Master Plan Amendment associated with PCN12009, adopting Findings MP1 through MP4 and the facts supporting these Findings as set forth in the staff report.

Rezone

I move to forward a recommendation of approval to the City Council to rezone three 3.37 acres from PO (Professional Office) to C2 (General Commercial), for PCN12009, adopting Findings Z1 through Z3 and the facts supporting these Findings as set forth in the staff report.

Respectfully Submitted,

Armando Ornelas
City Planner

Prepared By:

Tim Thompson, AICP
Senior Planner

CASE NUMBER(S):	<ul style="list-style-type: none">• PCN12009
REQUESTED ACTION(S):	<ul style="list-style-type: none">• Master Plan Amendment• Zone Change
PROJECT DESCRIPTION:	<ul style="list-style-type: none">• A request to change the land use on 3.37 acres from Office Professional (OP) to General Commercial (GC) and to change the zoning from PO (Professional Office) to C2 (General Commercial).
PROPERTY OWNER:	<ul style="list-style-type: none">• DDC – II, LLC
DEVELOPER:	<ul style="list-style-type: none">• Property Owner
APPLICANT:	<ul style="list-style-type: none">• Property Owner
LOCATION:	<ul style="list-style-type: none">• Generally located east of Vista Boulevard, south of Basco Way, and north of Iratcabal Drive, Sparks, NV.
SITE SIZE:	<ul style="list-style-type: none">• 3.37 acres
EXISTING ZONING:	<ul style="list-style-type: none">• PO (Professional Office)
PROPOSED ZONING	<ul style="list-style-type: none">• C2 (General Commercial)
EXISTING LAND USE:	<ul style="list-style-type: none">• Office Professional (OP)
PROPOSED LAND USE:	<ul style="list-style-type: none">• General Commercial (GC)
WARD INFORMATION:	<ul style="list-style-type: none">• Ward 5 – Ron Schmitt
APPLICABLE REGULATIONS:	<ul style="list-style-type: none">• S.M.C. 20.19 (Amendments);• City of Sparks Master Plan;• Truckee Meadows Regional Plan

*A PUBLIC HEARING IS REQUIRED

BACKGROUND:

This item is scheduled for consideration immediately following Planning Commission consideration of a Master Plan Amendment to remove the Iratcabal East Area Plan from the Sparks Master Plan.

The project site was located within the Iratcabal East Area Plan, which was a component of the City of Sparks Master Plan. The area plan was adopted in December 1998. The intent of the Iratcabal East Area Plan was to govern the future development of approximately 41 acres of land east of Vista Boulevard, north of Disc Drive, and south of the northern intersection of Los Altos Parkway and Vista Boulevard. It was expected that the proposed modifications to the land use designations on the subject property would reduce the potential traffic generation relative to the existing designations. Additionally, a more diverse mix of smaller uses was projected along the Vista Boulevard corridor.

The area plan included specific master plan land use designations as well as specific design standards. It also included restrictions on uses that would otherwise be permissible in the zoning ordinance.

Following plan adoption in 1998, four Master Plan amendments occurred. The first two amendments were adopted in 2001. MP-1-01 added public utility structures as an allowed use with the approval of a Special Use Permit in the low density residential land use designation. MP-2-01 altered design standard #10 to include alternative roof treatments and removed 3 acres of mini-storage/R.V. storage in favor of 3 acres of General Commercial land use.

In 2003, another Master Plan amendment (PCN03026) was adopted which eliminated the Senior Convalescent land use designation and changed it to Office Professional. Secondly, Personal Service Shop was added as an allowable use within the Office Professional land use designation with the approval of a Site Plan Review. Lastly, design standard #10 was again modified to allow alternative roof materials.

In 2006, a Master Plan amendment was adopted which allowed for the inclusion of preschools as an allowed use in the Office Professional land use with a Special Use Permit.

As required by NRS, a neighborhood meeting was held on May 7, 2012. The applicant has submitted the required certificate of verification that the neighborhood meeting was held.

ANALYSIS:

The proposed Master Plan Amendment is intended to provide greater flexibility with regard to the number of allowable uses. Currently, the zoning is PO (Professional Office). The PO zoning is primarily for office type uses. The project site includes several undeveloped building pads and a new building which was completed several years ago, but has never been occupied. The property owner has had a difficult time finding a user that can operate within the parameters of the PO zoning. The applicant is seeking to expand the number of permissible uses by requesting a zone change to C2 (General Commercial). The C2 zoning district provides a wider range of uses than the PO zoning. Following is a table that demonstrates the differences in uses between the PO and C2 zoning districts:

	PO Zoning	C2 Zoning
Uses permitted without a special use permit:	<ul style="list-style-type: none"> Professional and medical offices and medical clinics banks and other similar financial institutions renewable energy production – private in-home child care for the number of children one care giver may care for in accordance with the rules and regulations of child care facilities. 	<ul style="list-style-type: none"> Comparison goods and shopping facilities offices and clinics retail and wholesale stores and personal service shops conducted wholly within a building renewable energy production – private in-home child care for the number of children one care giver may care for in accordance with the rules and regulations for child care facilities accessory uses entertainment facilities restaurants & bars health clubs.
Uses Permitted in compliance with standards in S.M.C. 20.42:	<ul style="list-style-type: none"> Drive-through businesses that do not exceed 17 hours of operation in any 24 hour period accessory uses Adult Day Care. 	<ul style="list-style-type: none"> Drive-through businesses that do not exceed 17 hours of operation in any 24 hour period Adult Day Care.
Uses requiring a special use permit:	<ul style="list-style-type: none"> Office projects over 50,000 square feet gross floor area child care facilities requiring more than one care giver drive-through businesses single or multi-family residential dwellings (must conform to requirements for R3 districts) churches assisted living facilities health clubs private recreation clubs and facilities. 	<ul style="list-style-type: none"> Boarding or rooming houses single family or multi-family residential dwellings (must conform to requirements for R4 districts) public utility structures automotive service stations and repair shops outdoor sales and service operations mortuaries drive-through businesses developments over 20,000 square feet gross floor area churches mini-warehouses child care facilities requiring more than one care giver schools outdoor storage accessory to retail stores assisted living facilities.

Based on the above table, it's evident that the C2 zoning would provide the property owner with greater flexibility with regard to the number of allowed uses. Because the existing zoning and land use are consistent, to consider a zone change to C2 would also require a Master Plan Amendment from Office Professional (OP) to General Commercial (GC). The Findings for a zone change cannot be met unless the land use is compatible with the zoning.

The Master Plan document states that GC areas are located adjacent to major arterial street intersections in the City and the City's Sphere of Influence Area boundary. GC areas are suitable near other community facilities such as convention centers, recreational facilities, theaters, and parks. **Offices or mixed residential uses** usually surround General Commercial shopping land use designated areas.

According to the locational criteria, staff believes the General Commercial land use is appropriate for the project site. It should be noted that the adjacent residential may be subject to greater impacts from some of the commercial uses as compared to the office uses. However, it is not uncommon in the City of Sparks to have General Commercial land use and C2 zoning adjacent to single family residential. Because the adjacent residential lots are located at a higher elevation and given the size of the project site, it is conceivable that there will be little or no impact to the adjacent residential from any commercial uses as compared to professional offices.

The associated master plan amendment and subsequent zone change, furthers the goals, policies, and objectives and the Regional Plan and the Sparks Master Plan. The requested changes would also be consistent with the existing surrounding land uses. For these reasons, **staff recommends that the Planning Commission approve the Master Plan Amendment and forward a request for certification to the City Council as well as forward a recommendation for approval to the City Council of the request zone change.**

MASTER PLAN AMENDMENT:

FINDING MP1:

The proposed Master Plan amendment would be in conformance with the Regional Plan.

The project also meets the intent of the Truckee Meadows Regional Plan based on the following goal and related policy:

“Goal 1.1

Between 2007 and 2030, at least 99% of the region’s population growth and 99% of the region’s jobs growth will be located in the Truckee Meadows Service Areas (TMSA).”

“GOAL 1.2:

Local Government and Affected Entity Master Plans, Facility Plans and other similar plans will provide for the necessary resources, services and infrastructure to support the density summarized in Table 1.2.1 of the Regional Plan.

“Policy 1.2.2

To conform to the Regional Plan, local government and affected entity master plans, Facilities Plans, and other similar plans, must promote and not conflict with the following priorities for managing regional growth:

- 1) Downtown Centers;
- 2) Regional Centers and Emerging Employment Centers;
- 3) TOD Corridors;
- 4) Infill opportunity areas as identified in local government master plans;
- 5) Secondary Corridors; and
- 6) **All other areas within the Truckee Meadows Service Areas.”**

“Policy 1.2.18

The Regional Plan designates the following general areas for Emerging Employment Centers: the southeast Truckee Meadows, **east and north Sparks**, and the Patrick interchange of the east Truckee River Canyon. To conform with the Regional Plan, local government and affected entity master plans must maintain and improve the viability of these areas as major employment centers with the following master plan provisions:

- 1) provide adequate non-residential land supply;
- 2) provide convenient access to major roads and/or freeways;
- 3) require pedestrian connections throughout the areas and to nearby residential areas;
- 4) plan for transit service;
- 5) provide adequate residential land supply in the surrounding area to house the anticipated number of employees;
- 6) require design and intensity standards to maintain the character of nearby residential areas; and
- 7) promote reverse commute and trip reduction strategies.”

The proposed amendment furthers the goals and policies identified in the Truckee Meadows Regional Plan.

FINDING MP2:

The Master Plan amendment would implement the goals listed within the Sparks Master Plan as listed in the staff report.

The following is an excerpt from the Sparks Master Plan. The emphasis is added to highlight appropriate sections.

RELATIONSHIP TO THE MASTER PLAN

1. General Commercial (GC)

Per the Master Plan document, General Commercial focuses on shopping, personal and professional service facilities and accessory uses in centers to meet the needs of the community.

The Master Plan document goes on to state that GC areas are located adjacent to major arterial street intersections in the City and the City's Sphere of Influence Area boundary. GC areas are suitable near other community facilities such as convention centers, recreational facilities, theaters, and parks. Offices or mixed residential uses usually surround General Commercial shopping land use designated areas.

The land use goals, policies and action strategies in the 1991 Master Plan update (and subsequent 2002-2003 amendments) relevant to this project include the following:

LAND USE

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.

LU1b. The City will ensure that development is in accord with the Master Plan and other land use controls to accomplish growth management goals.

- LU1c.** The City will approve development plans which address conditions unique to the developing area to minimize impacts to adjacent properties and assure protection of natural and cultural resources.

ACTION STRATEGIES

1. Apply appropriate sections of the City's Municipal Code to all development proposals.
2. Allow only developments which meet the proper land use designation of the City's Master Plan and the Regional Master Plan.
3. Review all projects in relation to their geographic location, impacts to adjacent communities, fiscal impact and mitigation measures to protect natural and cultural resources. Apply specific conditions of approval tailored for each development proposal.

GOAL LU5: To support land uses and development that assures an appropriate balance of population, housing, and employment distribution within the City.

POLICIES

- LU5a.** The City will encourage land uses and development which maintains a balance of population, housing and employment within urban and emerging growth areas.
- LU5b.** The City will support sustainable economic development resulting in efficient use of resources.
- LU5c.** The City will provide adequate land for future non-residential development.
- LU5e.** The City will ensure development of employment centers that preserve and enhance the character of neighborhoods, the natural environment, and visual integrity of surrounding viewsheds.

- LU5f.** The City will ensure development of employment centers in close proximity to established or developing residential areas, along major arterials or freeways, on public transit routes, or implementation of other vehicle trip reduction strategies.
- LU5g.** The City will encourage employment center development on infill sites.
- LU5h.** The City will ensure pedestrian connections throughout emerging employment center developments and to nearby residential areas.

CONSERVATION

GOAL C2: To conserve and protect the quality of water.

ACTION STRATEGIES

- 3. Develop Planned Development guidelines which include the provision of open space belts that inter-connect in a network whereby open space can act as a recharge and natural flood control basin and habitat reserve.

GOAL C4: To manage air quality, consistent with Federal standards, that will provide for healthy living and the maintenance of clear views.

POLICIES

- C4a.** The City of Sparks will pursue a reduction in long term vehicle trips through the implementation of land use plans that encourage infill development, urban densities, and realistic jobs/housing balances. The benefits to such a policy include: fewer vehicle miles and hence less vehicle emission, reduced infrastructure requirements. The potential drawbacks to such an approach might include some reduction of open space corridors and market concerns over relative higher densities or intensities.

ACTION STRATEGIES

- 2. Actively encourage ride share programs, particularly for large employers, such as those with an excess of 100 employees.

Publicly recognize those employers currently undertaking or committing to such programs. Direct private involvement might take the form of an in-house trip-reduction coordinator with duties similar to those outlined in the Regional Transportation Commissions' Employer Trip Reduction Coordinator Manual.

4. Incorporate, where feasible, the inclusion of bikeways walking paths, and other alternative modes of transportation in planning programs and future development plans.

The proposed project will comply with the goals, objectives, policies, and action strategies as listed above through the entitlement process. This Master Plan Amendment provides an opportunity for additional commercial uses along a major arterial.

**FINDING MP3:
The Master Plan Amendment would be compatible with surrounding land uses.**

SURROUNDING LAND USES, ZONING, AND DENSITY

- North: Professional & Medical Office, Office Professional (OP), PO
- East: Single Family Residential, LDR, R1-6
- South: Church & Child Care Facility, Office Professional (OP), PO
- West: Single Family Residential, 3-7 du/ac, R1-7

The proposed amendment meets the locational criteria set forth in the General Commercial section of the land use plan.

The site is located along a major arterial (Vista Boulevard) and is surrounded by offices or mixed residential uses.

Based on the consistency with the locational criteria and the adjacent land uses, staff believes the proposed General Commercial land use designation is compatible with the existing surrounding land uses.

FINDING MP4:

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

Public notice was given per the requirements of the Sparks Municipal Code and the Nevada Revised Statutes. The Planning Commission and City Council meetings function as the public hearing for this item.

Rezone

FINDING Z1:

The request, as submitted, is consistent with the City of Sparks Master Plan.

RELATIONSHIP TO MASTER PLAN

SEE FINDING MP2 ABOVE

FINDING Z2:

The project is consistent with the surrounding existing land uses.

SEE FINDING MP3 ABOVE

FINDING Z3:

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

Public notice was given per the requirements of the Sparks Municipal Code and the Nevada Revised Statutes. The Planning Commission and the City Council meetings function as the public hearings for this item.