



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

**To:** Mayor and City Council  
**From:** Marilie Smith, Administrative Secretary  
**Subject:** Report of Planning Commission Action  
PCN14030  
**Date:** September 8, 2014

**RE:** PCN14030 – Pyramid Self Storage, LLC, Consideration of and possible action on a request for tentative and final approval of amendments to an approved planned development handbook (Crestgate Pyramid Planned Development) to revise development standards to allow expansion of the personal storage use in Area 4, and other matters properly relating thereto, on a site totaling approximately 12.2 acres in the PD (Planned Development – Crestgate Pyramid) zoning district located at 1085 Roberta Lane, Sparks, NV.

An agenda item from Senior Planner Karen Melby for consideration and possible action on a request for tentative and final approval of amendments to the Crestgate Pyramid Planned Development Handbook. The amendments only affect Area 4. The applicant is requesting to add the option of expansion of the existing personal storage use in Area 4. The personal storage or RV storage would be managed out of the existing manager's office in Area 3.

Crestgate Pyramid is divided into 4 areas. Constructed in Area 1 is an auto parts store. In Area 2, ten office buildings have been constructed. In area 3, personal storage was constructed. Areas 1, 2, and 3 are built out. Area 4 is the only area still undeveloped. The proposed amendments to the handbook only affect Area 4.

The revised plan in the planned development handbook maintains the integrity of the plan by sustaining the office residential character along Roberta Lane. The proposed uses will generate less daily traffic than either the all-office plan or the senior housing would have generated. The vehicular and pedestrian circulation is maintained with the amendment. Crestgate Pyramid Planned Development will still function as a transitional land use between the shopping center on the corner of Pyramid Way / McCarran Boulevard and the residential to the west and south.

Staff has reviewed the requested changes to the final handbook. The final draft handbook; does not vary the proposed gross residential density or intensity of the Crestgate Pyramid Planned Development Standards Handbook; does not vary the proposed ratio of residential to nonresidential use; does not reduce the common open space area; does not increase the floor area proposed for the nonresidential use from the approved tentative handbook; and finally, could increase the total ground area covered by buildings and substantial change in the height of buildings.

The Planned Development Findings are as follows:

### **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 Planned Development Amendment is adding an option of expanding the personal storage onto a parcel proposed to be RV storage. The amendment makes this planned development entirely office or commercial uses.

**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 office buildings and personal storage use provide a transition between the intense activity of the adjacent shopping center and the surrounding neighborhood.

**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 personal and RV storage will require minimal need for public.

**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.**

The planned development does not include any housing and this amendment will not affect the need for homes.

**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 applicant is seeking approval of the expansion of personal storage because their existing personal storage has been successful and the applicant desire to develop their remaining land to continue the success of the use.

**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 Development Standards for Crestgate Pyramid does not substantially change the density. Both personal and RV storage are low intensity land uses with low traffic generation and will only be single story in height.

**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.**

Currently, the development within Crestgate Pyramid consists of single story structures, except for the manager unit in the existing personal storage. The building heights of the proposed personal storage will be one story.

**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 handbook's development standards include setbacks, height and lighting restrictions for buildings placed adjacent to the single family homes. There are no proposed changes to these standards, just the addition of the use of personal storage in Area 4.

**PD9 The ratio of residential to nonresidential use in the planned development is:**

The proposed amendment does not include any residential so there is no ratio of residential to nonresidential use.

**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 only common open space within Crestgate Pyramid is the landscaped areas. The standards within the Planned Development Handbook maintain the streetscape and an enhanced landscape area with a water feature along Roberta Lane.

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

The Crestgate Pyramid Development Standards Handbook does address the maintenance and conservation of the common open space through private ownership.

**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.

**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 existing office buildings, proposed offices and personal storage 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 street design conforms to City of Sparks street standards. Roberta Lane was designed to accommodate fire trucks so RVs should be able maneuver it. Based on the traffic generation numbers provided in the Handbook (7th Edition of the ITE Trip Generation Manual), the project's estimated average daily trips will be 1,390 average weekday trips. The trip generation estimated in the recorded handbook was 1,330 ADT. This is a minimal change in the average daily trips.

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

Crestgate Pyramid is characterized by tree lined streets. The amendment will maintain the streetscape along Roberta Lane. Whether the personal or RV storage is developed in Area 4 it will have perimeter landscaping, maintaining the streetscape on the private section of Roberta Lane.

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

The amendment maintains the character of Roberta Lane as the proposed plan extends the personal storage between the adjacent shopping center and the surrounding neighborhood, providing a good transition between the uses. There are no changes proposed to the access to the surrounding neighborhood.

**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 Crestgate Pyramid started in 1995. The original plan was to develop a single family subdivision. Later the plans were changed to a mix of senior housing and offices. The previous amendment was to eliminate any housing component and replace it with personal and RV storage. The standards in the Handbook are written to minimize the impacts on the surrounding area. In past plans, this property has been viewed as a transitional use between the shopping center at the southwest corner of the intersection of Pyramid Highway / McCarran Boulevard and single family residential to the west and south. Maintaining offices along the public portion of Roberta Lane, placing the personal storage behind the office buildings and placing the personal or RV storage below the grade of McCarran Boulevard will sustain the transitional function of the Crestgate Pyramid development.

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

The project is consistent with the Sparks Master Plan as discussed below. The Land Use Plan Goals and Policies in the 1991 Master Plan update that are 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.**

**POLICY**

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

**ACTION STRATEGY**

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

The Master Plan Amendment designation of GC allows a wide variety of land uses which promotes flexibility in development. The GC designation is a logical extension of the existing GC for the shopping center on the corner of Pyramid Way and McCarran Boulevard.

**PD19 The project is consistent with the surrounding existing land uses.**

The Crestgate Pyramid Planned Development is designed to be a transitional land use between the shopping center and traffic on Pyramid Highway and the single family homes to the south and west. Maintaining offices along the public portion of Roberta Lane and placing the personal storage between the office buildings, will help sustain the transitional role of the area.

The subject site and surrounding land uses are described as follows:

**SURROUNDING LAND USES & ZONING**

<b>Direction</b>	<b>Land Use</b>	<b>Zoning</b>
North	Low Density Residential (LDR) General Commercial (GC) Public Facilities (PF)	PF, R1-40 and R1-6
South	Low Density Residential (LDR)	R1-6
East	Low Density Residential (LDR) General Commercial (GC)	C2 & R1-6
West	Low Density Residential (LDR)	R1-6

**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 Crestgate Pyramid 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 sustaining the office residential character along Roberta Lane. Installing the streetscape in front of the the personal storage wall as required by the handbook will soften the appearance of the personal storage from Roberta Lane. The proposed uses will generate less daily traffic than either the all office plan or the senior housing would have generated. The vehicular and pedestrian circulation is maintained with the amendment. Crestgate Pyramid Planned Development will still function as a transitional land use between the shopping center on the corner of Pyramid Way / McCarran Boulevard and the residential to the west and south.

### **Final Handbook**

The following is the SMC section on final handbook approval followed by the NRS regulations.

#### **Section 20.18.080 Procedure for final approval**

- A. Application for final review by the Sparks Planning Commission and ultimate final approval by the Sparks City Council must be made to the Administrator within the time specified by the minutes granting tentative approval.
- B. A public hearing on an application for final approval of the plan, or any part thereof, is not required if the plan, or any part thereof, submitted for final approval is in substantial compliance with the plan which has been given tentative approval. The plan submitted for final approval is in substantial compliance with the plan previously given tentative approval if any modification by the landowner of the plan as tentatively approved does not:
  - 1. Vary the proposed gross residential density or intensity of use;
  - 2. Vary the proposed ratio of residential to nonresidential use;
  - 3. Involve a reduction of the area set aside for common open space or the substantial relocation of such area;
  - 4. Substantially increase the floor area proposed for nonresidential use; or
  - 5. Substantially increase the total ground areas covered by buildings or involve a substantial change in the height of buildings. A public hearing need not be held to consider modifications in the location and design of streets or facilities for water and for disposal of storm water and sanitary sewage.
- C. All requirements and regulations pertaining to the application for final approval, substantial compliance with tentatively approved plan, alternative proceedings

for final action on plans not in substantial compliance, recourse to courts for failure of city to grant or deny final approval, certification and filing of approved plan upon abandonment or failure to carry out approved plan shall be provided in NRS 278A.530 to 278A.580, inclusive.

Nevada Revised Statutes (NRS) 278A.540 states what constitutes substantial compliance with a tentative approved planned development application.

**NRS 278A.540 What constitutes substantial compliance with plan tentatively approved.**

The plan submitted for final approval is in substantial compliance with the plan previously given tentative approval if any modification by the landowner of the plan as tentatively approved does not:

- A. Vary the proposed gross residential density or intensity of use;
- B. Vary the proposed ratio of residential to nonresidential use;
- C. Involve a reduction of the area set aside for common open space or the substantial relocation of such area;
- D. Substantially increase the floor area proposed for nonresidential use; or
- E. Substantially increase the total ground areas covered by buildings or involve a substantial change in the height of buildings.

A public hearing need not be held to consider modifications in the locations and design of streets or facilities for water and disposal of storm water and sanitary sewer.

**NRS 278A Plan not in substantial compliance, Alternative procedures; public hearing final action.**

1. If the plan, as submitted for final approval, is not in compliance with the plans as given tentative approval, the city or county shall, within 30 days of the date of filing of the application for final approval, notify the landowner in writing, setting forth the particular ways in which the plan is not in substantial compliance.
2. The landowner may:
  - (a) Treat such notice as a denial of final approval;
  - (b) Refile his plan in a form which is in substantial compliance with the plans as tentatively approved; or



(c) File a written request with the city or county that it hold a public hearing on his application for final approval.

If the landowner elects the alternatives set out in paragraph (b) or (c) above, he may refile his plan or file a request for a public hearing, as the case may be, on or before the last day of the time within which he was authorized by the minutes granting tentative approval to file for final approval, or 30 days from the date he receives such notice of such refusal, whichever is later.

3. Any such public hearing shall be held within 30 days after the request for the hearing is made by the landowner, and notice thereof shall be given and hearings shall be conducted in the manner prescribed in NRS 278A.480.
4. Within 20 days after the conclusion of the hearing, the city or county shall, by minute action, either grant final approval to the plan or deny final approval to the plan. The grant or denial of the final approval of the plan shall, in cases arising under this section, contain the matters required with respect to an application for tentative approval by NRS 278A,500.

Staff has reviewed the requested changes to the final handbook of the Crestgate Pyramid Planned Development Handbook. The final draft handbook:

- does not vary the proposed gross residential density or intensity of the Crestgate Pyramid Planned Development Standards Handbook;
- does not vary the proposed ratio of residential to nonresidential use;
- does not reduce the common open space area;
- does not increase the floor area proposed for the nonresidential use from the approved tentative handbook;
- could increase the total ground area covered by buildings and substantial change in the height of buildings.

If the personal storage is constructed rather than the RV storage parking, there will be increased ground coverage by buildings; however the increase is less than approved in earlier versions with senior housing. The personal storage construction would change the coverage from paved parking lot to covered storage. It is staff's opinion that the final draft amendment for the Crestgate Pyramid Planned Development Standards Handbook does not substantially increase the ground

coverage and therefore complies with the five criteria. The proposed amendments preserve the integrity of the plan and protect the nearby residents.

Ken Krater, representing the owner and applicant, introduced himself. Mr. Krater is in agreement with the staff report associated with the project. Mr. Krater further stated he is very proud to be a part of this project and has been very happy with its development. Commissioners Lean, Voelz and Sperber also commented on the nicely done project.

The public hearing was opened.

Mr. Peter Adams, a resident of Sparks, concurs with the quality of the project. However, he did want to address some concerns regarding how the development will address a very steep grade down from McCarran to the more level area of the project. His concern was whether the proposed development would create a flooding problem.

Mr. Krater addressed Mr. Adams' concern by sharing that the project would be set back by way of a large landscaped area allowing for the continuation of the current wall and integrity already in place. He further stated that a good portion of the area of concern is an NDOT right of way.

The public hearing was closed.

MOTION: Planning Commissioner Voelz moved to forward a recommendation to the City Council for Tentative and Final approval of a request for an amendment to the Crestgate Pyramid Planned Development Handbook associated with PCN14030, adopting Findings PD1 through PD21 and the facts supporting those Findings as set forth in the staff report. 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: Commissioner Lean.

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

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

Passed.