

**City Of Sparks
Planning Commission Item**

Meeting Date: June 19, 2014

Subject: PCN14012, Public Hearing, consideration and possible action on a rezoning request to change the zoning from R5 (Multiple Family Residential) to PO (Professional Office) on a site approximately 1.6 acres in size located at 2405, 2415 and 2485 Pyramid Way, Sparks, NV.

Petitioner: Method Art Corporation

Presenter: Tim Thompson

Recommendation: The Community Services Department recommends forwarding a recommendation of approval to the City Council of PCN14012; 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

Rezone

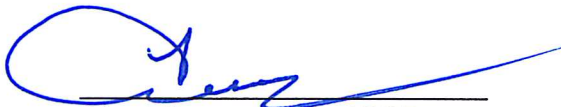
I move to forward a recommendation of approval to the City Council for the rezone request associated with PCN14012 to change the zoning on 1.6 acres from R5 (Multiple Family Residential) to PO (Professional Office), adopting Findings Z1 through Z3 and the facts supporting these Findings as set forth 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">• PCN14012
REQUESTED ACTION(S):	<ul style="list-style-type: none">• Rezoning
PROJECT DESCRIPTION:	<ul style="list-style-type: none">• A request to change the zoning from R5 (Multiple Family Residential) to PO (Professional Office).
PROPERTY OWNER:	<ul style="list-style-type: none">• Method Art Corporation
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">• Located at 2405, 2415 and 2485 Pyramid Way, Sparks, NV.
SITE SIZE:	<ul style="list-style-type: none">• 1.6 acres
EXISTING ZONING:	<ul style="list-style-type: none">• R5 (Multiple Family Residential)
PROPOSED ZONING	<ul style="list-style-type: none">• PO (Professional Office)
EXISTING LAND USE:	<ul style="list-style-type: none">• Office Professional (OP)
PROPOSED LAND USE:	<ul style="list-style-type: none">• N/A
WARD INFORMATION:	<ul style="list-style-type: none">• Ward 2 – Ed Lawson
APPLICABLE REGULATIONS:	<ul style="list-style-type: none">• S.M.C. 20.19 (Amendments);• City of Sparks Master Plan;

*A PUBLIC HEARING IS REQUIRED

BACKGROUND:

In 1995, the City Council approved a Special Use Permit (SP950022) for the establishment of the Masonic Lodge and office buildings on the northwest corner of Pyramid Way and York Way.

An amendment to the Special Use Permit was approved by the City Council in 1999 (SP990022). The original approval included a condition which restricted the hours of operation for the office component of the development. The amendment allowed the property owner to extend the hours of operation specifically for Building B.

ANALYSIS:

The proposed zone change is intended to provide greater flexibility with regard to the number of allowable uses. Currently, the zoning is R5 (Multiple Family Residential). By changing the zoning to PO (Professional Office), the zoning will be consistent with the master plan land use designation. The property owner may also benefit from some additional non-residential uses which are permitted in the PO zoning district. Following is a table that demonstrates the differences in uses between the R5 and PO zoning districts:

	R5 Zoning	PO Zoning
Uses permitted without a special use permit:	<ul style="list-style-type: none"> • Two-family dwellings • multiple-family residential developments of up to one hundred and ten dwellings units • accessory buildings • 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 • adult care facilities. 	<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.
Uses Permitted in compliance with standards in S.M.C. <u>20.42:</u>	<ul style="list-style-type: none"> • Temporary sales office trailers • model home complexes • construction yards. 	<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.
Uses requiring a special use permit:	<ul style="list-style-type: none"> • Boarding or rooming houses • child care facilities requiring more than one care giver • offices and clinics • temporary subdivision sales offices • model homes and construction yards • Churches • private recreation clubs • public utility structures • home occupations • multiple family residential developments of over one hundred 	<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"> • and ten (110) dwelling units • single family dwellings of a permanent nature • structures over thirty-five feet in height • development on any lot or parcel abutting any R-1 district • accessory commercial uses • schools 	
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As can be seen in the table above, the uses included in each zoning district are similar in nature. Banks, health clubs, and drive-through businesses appear to be the only “new” uses which would be permitted if the rezone is approved.

Because the proposed rezone would bring the zoning into conformance with the existing land use designation, staff can make all the applicable findings to support the request.

Therefore, staff suggests forwarding a recommendation of approval to the City Council for the proposed rezone request.

Rezone

**FINDING Z1:
 The request, as submitted, is consistent with the City of Sparks Master Plan.**

RELATIONSHIP TO THE MASTER PLAN

1. The development is located within an area that has the Master Plan Land Use designation of Office Professional (OP). Predominant uses within the Office Professional land use designation are offices for professional services, medical offices, medical clinics, banks, financial institutions or of a general business nature with accessory commercial uses and ancillary uses. Large office parks, child care, drive through businesses, and single or multiple family residential uses may be permitted by discretionary action in these designated land use areas. The Planned Development overlay may be applied to any area designated OP for entitlement and construction.

Office Professional uses are found scattered throughout the urbanized area but are especially common in the near vicinity of clinics,

hospitals, commercial activities and major streets in the City and the City's Sphere of Influence Area boundary.

These districts function well as a buffer between commercial and residential activities. The size of OP structures can vary considerably. They may be located in converted houses or other building structures; therefore, the size of utilities, public parking, landscaping and ancillary services will vary accordingly. Office uses should be constructed on physically suitable sites where environmental hazards do not exist.

2. The Land Use Plan Goals and Policies in the 2002 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."

"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.

FINDING Z2:

The project is consistent with the surrounding existing land uses.

SURROUNDING LAND USES & ZONING

- North: General Commercial (GC); PD (Planned Development – Crestgate Pyramid)
- East: Low Density Residential (LDR) – Single Family Residential; R1-6 (6,000 sq. ft. minimum lot size)
- South: Office Professional (OP); PO (Professional Office)
- West: Low Density Residential (LDR) – Single Family Residential; R1-6 (6,000 sq. ft. minimum lot size)

According to the Sparks Master Plan, *"Office Professional uses are found scattered throughout the urbanized area but are especially common in the near vicinity of clinics, hospitals, commercial activities and major streets in the City and the City's Sphere of Influence Area boundary."* The master plan goes on to say, *"these districts function well as a buffer between commercial and residential activities."*

This property meets the locational criteria established in the master plan document as evidenced by the Master Plan Land Use Designation of Office Professional. Staff can support the proposed zone change because it will bring the zoning into conformance with the master plan land use designation.

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.

METHOD ART CORPORATION

Business Entity Information

Status:	Active	File Date:	2/7/2002
Type:	Foreign Corporation	Entity Number:	C3170-2002
Qualifying State:	CA	List of Officers Due:	2/28/2015
Managed By:		Expiration Date:	
NV Business ID:	NV20021225191	Business License Exp:	2/28/2015

Additional Information

Central Index Key:

Registered Agent Information

Name:	ALLIANCE COMMERCIAL REAL ESTATE MANAGEMENT SERVICES, LLC	Address 1:	50 W LIBERTY ST 4TH FLOOR WEST TOWER
Address 2:		City:	RENO
State:	NV	Zip Code:	89501
Phone:		Fax:	
Mailing Address 1:		Mailing Address 2:	
Mailing City:		Mailing State:	NV
Mailing Zip Code:			
Agent Type:	Noncommercial Registered Agent		

Financial Information

No Par Share Count: 2,500.00

Capital Amount: \$ 0

No stock records found for this company

Officers

Include Inactive Officers

Director - STANLEY R BROWN			
Address 1:	321 13TH ST	Address 2:	
City:	HUNTINGTON BEACH	State:	CA
Zip Code:	92648	Country:	USA
Status:	Active	Email:	
President - BRYNN E MINER			
Address 1:	3868 BOWERS DR	Address 2:	
City:	RENO	State:	NV
Zip Code:	89511	Country:	USA
Status:	Active	Email:	
Secretary - BRYNN E MINER			
Address 1:	3868 BOWERS DR	Address 2:	
City:	RENO	State:	NV
Zip Code:	89511	Country:	USA

Status:	Active	Email:	
Treasurer - BRYNN E MINER			
Address 1:	3868 BOWERS DR	Address 2:	
City:	RENO	State:	NV
Zip Code:	89511	Country:	USA
Status:	Active	Email:	

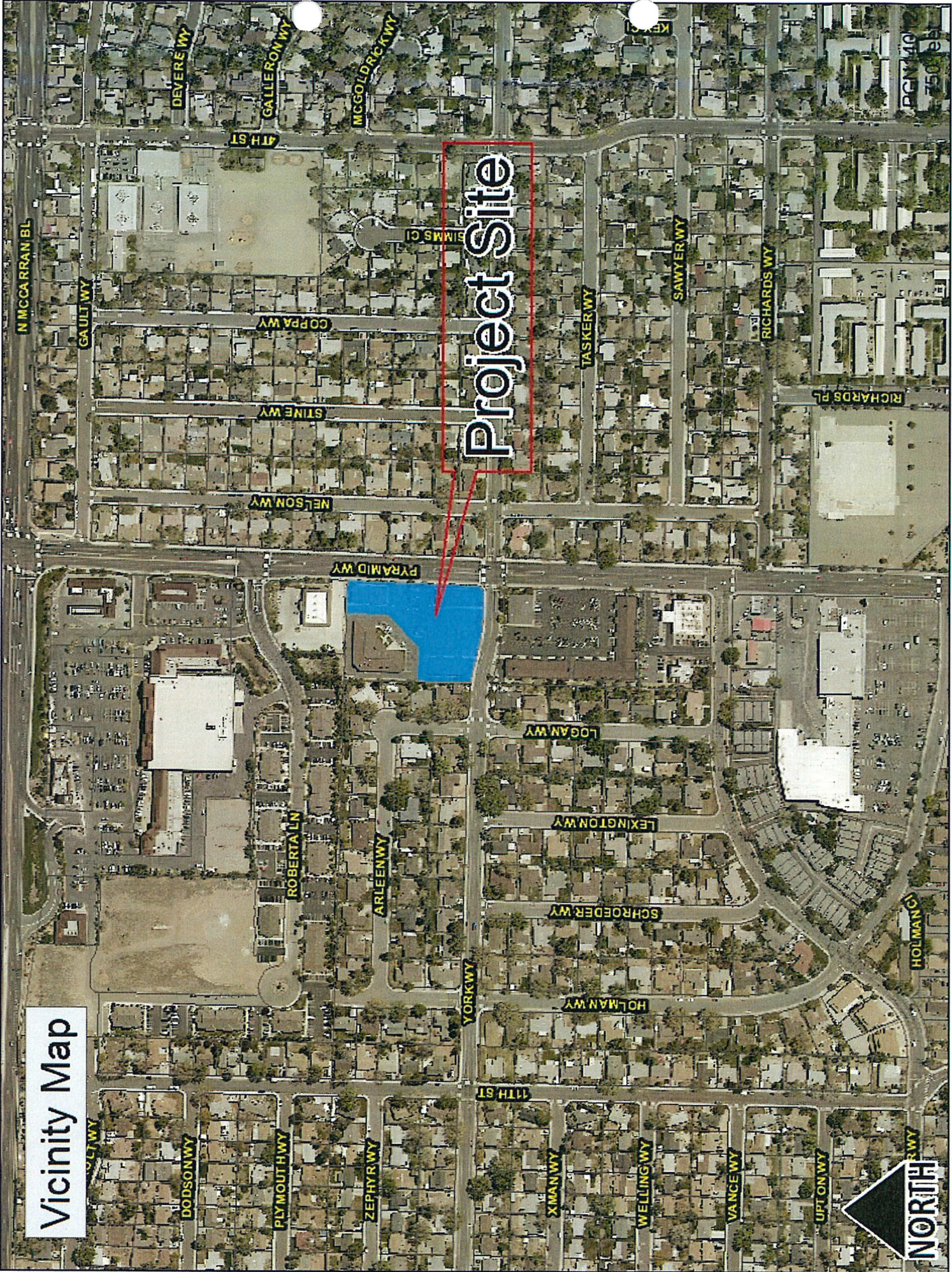
Actions\Amendments

Action Type:	Foreign Qualification		
Document Number:	C3170-2002-001	# of Pages:	2
File Date:	2/7/2002	Effective Date:	
(No notes for this action)			
Action Type:	Initial List		
Document Number:	C3170-2002-005	# of Pages:	2
File Date:	2/25/2002	Effective Date:	
(No notes for this action)			
Action Type:	Annual List		
Document Number:	C3170-2002-004	# of Pages:	1
File Date:	1/29/2003	Effective Date:	
(No notes for this action)			
Action Type:	Annual List		
Document Number:	C3170-2002-002	# of Pages:	1
File Date:	8/20/2004	Effective Date:	
List of Officers for 2004 to 2005			
Action Type:	Registered Agent Change		
Document Number:	C3170-2002-003	# of Pages:	1
File Date:	10/22/2004	Effective Date:	
ROBERT L. BACHMAN, ESQ. BLDG. C, #12 3431 E. SUNSET RD. LAS VEGAS NV 89120 SMM			
Action Type:	Annual List		
Document Number:	20050051639-01	# of Pages:	1
File Date:	2/17/2005	Effective Date:	
(No notes for this action)			
Action Type:	Annual List		
Document Number:	20060254301-53	# of Pages:	1
File Date:	4/22/2006	Effective Date:	
(No notes for this action)			
Action Type:	Annual List		
Document Number:	20060840273-32	# of Pages:	1
File Date:	12/31/2006	Effective Date:	
(No notes for this action)			
Action Type:	Annual List		
Document Number:	20070836342-05	# of Pages:	1
File Date:	12/7/2007	Effective Date:	
(No notes for this action)			
Action Type:	Annual List		
Document Number:	20090637107-75	# of Pages:	1
File Date:	8/24/2009	Effective Date:	

(No notes for this action)			
Action Type:	Registered Agent Change		
Document Number:	20090746973-67	# of Pages:	1
File Date:	10/14/2009	Effective Date:	
(No notes for this action)			
Action Type:	Annual List		
Document Number:	20100048999-92	# of Pages:	1
File Date:	1/14/2010	Effective Date:	
FEB 10-11 no biz			
Action Type:	Annual List		
Document Number:	20110057990-14	# of Pages:	1
File Date:	1/25/2011	Effective Date:	
11-12			
Action Type:	Annual List		
Document Number:	20120123227-02	# of Pages:	1
File Date:	2/22/2012	Effective Date:	
(No notes for this action)			
Action Type:	Registered Agent Change		
Document Number:	20120571482-82	# of Pages:	1
File Date:	8/20/2012	Effective Date:	
(No notes for this action)			
Action Type:	Annual List		
Document Number:	20130002836-35	# of Pages:	1
File Date:	1/2/2013	Effective Date:	
(No notes for this action)			
Action Type:	Annual List		
Document Number:	20140026515-76	# of Pages:	1
File Date:	1/13/2014	Effective Date:	
14-15			

Project Site

Vicinity Map



BILL NO. _____

INTRODUCED BY COUNCIL

ORDINANCE NO. _____

PCN14012 - METHOD ART
CORPORATION

A GENERAL ORDINANCE REZONING REAL PROPERTY OWNED BY METHOD ART CORPORATION FROM R5 (MULTIPLE FAMILY RESIDENTIAL) TO PO (PROFESSIONAL OFFICE) ON 1.6 ACRES GENERALLY LOCATED AT 2405, 2415 AND 2485 PYRAMID WAY, SPARKS, NV.; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

THE CITY COUNCIL OF THE CITY OF SPARKS DOES ORDAIN:

SECTION 1: The property described in Exhibit "A" and shown in Exhibit "B", which is attached hereto and incorporated herein by reference, situated in the City of Sparks, County of Washoe, State of Nevada, is hereby changed from R5 (Multiple Family Residential) to PO (Professional Office) zoning classification.

SECTION 2: The zoning map of the City of Sparks is hereby amended in accordance with the rezoning herein.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: The City Clerk is instructed and authorized to publish the title to this ordinance as provided by law and to record the plan certified herein as provided by law.

SECTION 5: This ordinance shall become effective upon passage, approval, and publication.

SECTION 6: The provisions of this ordinance shall be liberally construed to effectively carry out its purposes in the

interest of the public health, safety, welfare and convenience.

SECTION 7: If any subsection, phrase, sentence or portion of this section is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

SECTION 8: The City Council finds that this ordinance is not likely to impose a direct and significant economic burden upon a business or directly restrict the formation, operation or expansion of a business, or is otherwise exempt from Nevada Revised Statutes Chapter 237.

PASSED AND ADOPTED this _____ day of _____, 2014, by the following vote of the City Council:

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED this _____ day of _____, 2014 by:

GENO MARTINI, Mayor

ATTEST:

APPROVED AS TO FORM & LEGALITY:

TERESA GARDNER
City Clerk

CHESTER H. ADAMS
City Attorney

EXHIBIT "A"

**LEGAL DESCRIPTION
FOR
APN 027-281-17**

All that certain real property situate within a portion of the Southeast One-Quarter (SE 1/4) of Section Thirty-Two (32), Township Twenty (20) North, Range Twenty (20) East, Mount Diablo Meridian, City of Sparks, Washoe County, Nevada, further described as being Parcel B of Parcel Map No. 3235, recorded on July 25, 1997, as File No. 2120075, filed in the Official Records of Washoe County, Nevada, and being more particularly described as follows:

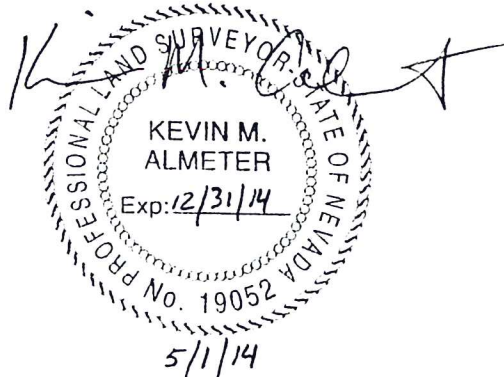
BEGINNING at the northeast corner of said Parcel B, also being on the westerly right-of-way line of Pyramid Way;
THENCE departing said corner and along said westerly right-of-way line, South 02°16'43" West a distance of 360.31 feet to the beginning of a tangent curve;
THENCE 30.91 feet along the arc of a 20.00 foot radius curve to the right through a central angle of 88°33'11" to the northerly right-of-way line of York Way;
THENCE along said northerly right-of-way line, North 89°10'06" West a distance of 53.40 feet to the beginning of a tangent curve;
THENCE continuing along said northerly right-of-way line, 94.96 feet along the arc of a 430.00 foot radius curve to the right through a central angle of 12°39'12";
THENCE North 76°30'54" West a distance of 54.23 feet to the beginning of a tangent curve;
THENCE 50.30 feet along the arc of a 490.00 foot radius curve to the left through a central angle of 05°52'54";
THENCE departing said northerly right-of-way line and along the westerly line of said Parcel B, North 01°13'13" East a distance of 152.68 feet;
THENCE departing said westerly line and along the line common to said Parcel B and Parcel A of said Parcel Map No. 3235, South 88°23'08" East a distance of 92.61 feet;
THENCE continuing along said common line, North 46°13'13" East a distance of 125.00 feet;
THENCE North 01°13'13" East a distance of 111.00 feet to the northerly line of said Parcel B;
THENCE along said northerly line, South 88°23'08" East a distance of 95.79 feet to the **POINT OF BEGINNING**;

Containing 69,406 square feet of land, more or less.

The basis of bearings for this legal description is identical to that as shown on said Parcel Map No. 3235.

Note: A field boundary survey was not conducted for the preparation of this legal description. This was compiled using record data only.

Prepared by:
Wood Rodgers, Inc.
5440 Reno Corporate Dr.
Reno, NV 89511



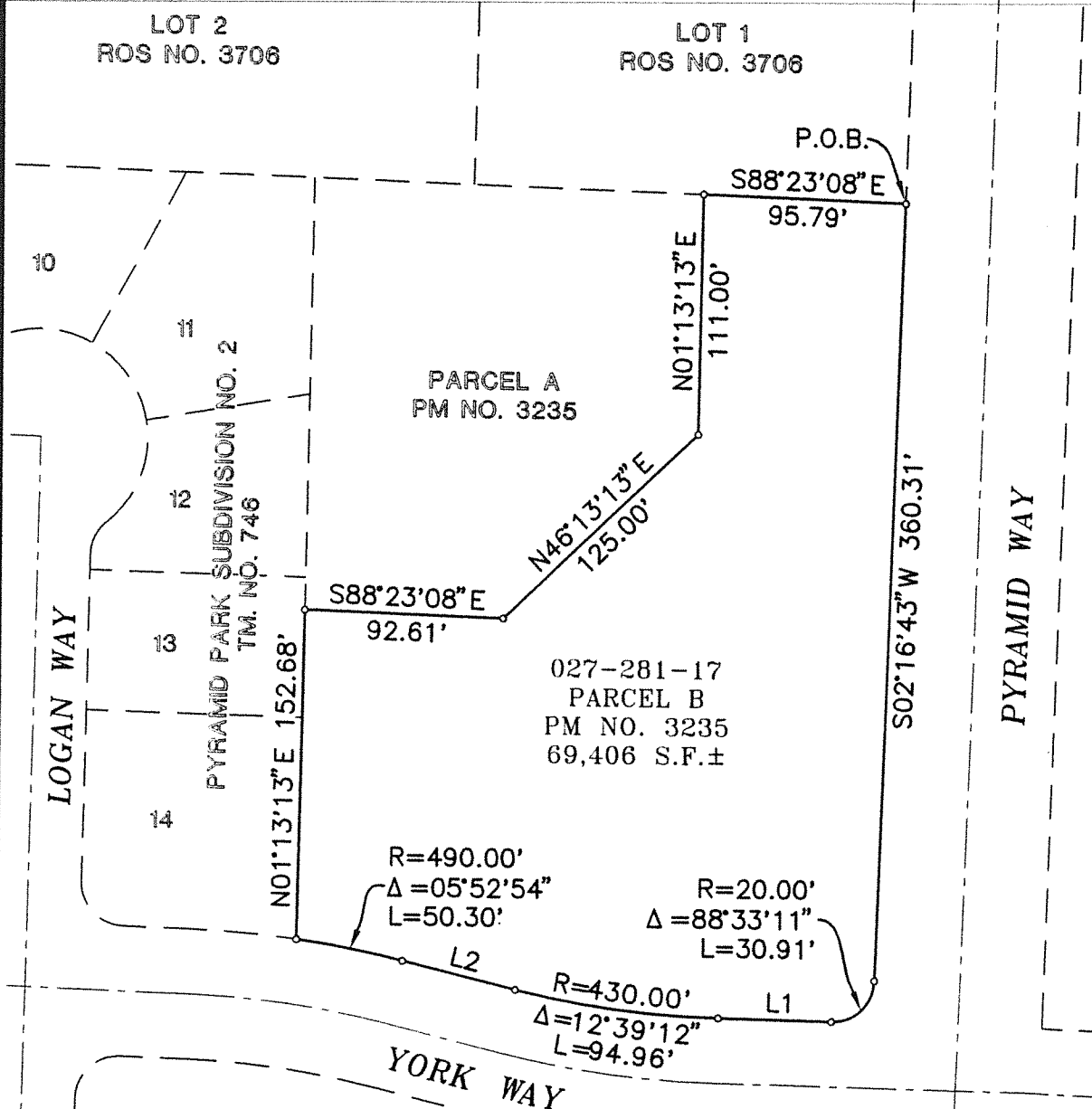
Kevin M. Almeter, P.L.S.
Nevada Certificate No. 19052

EXHIBIT "B"

PLAT TO ACCOMPANY

APN 027-281-17

BEING A PORTION OF THE SE 1/4 OF SECTION 32
TOWNSHIP 20 NORTH, RANGE 20 EAST, M.D.M
CITY OF SPARKS, COUNTY OF WASHOE, STATE OF NEVADA



LINE TABLE		
NO.	BEARING	LENGTH
1	N89°10'06"W	53.40'
2	N76°30'54"W	54.23'



1" = 80'

SHEET 1 OF 1

WOOD RODGERS
DEVELOPING INNOVATIVE DESIGN SOLUTIONS
5440 Reno Corporate Drive Tel 775.823.4068
Reno, NV 89511 Fax 775.823.4068