



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

**To:** Mayor and City Council

**From:** Marilie Smith, Administrative Secretary

**Subject:** Report of Planning Commission Action  
PCN17-0032

**Date:** October 31, 2017

**RE:** PCN17-0032 - Consideration of and possible action on a request to rezone a site approximately 7.72 acres in size from PD (Planned Development – The Vistas) to MF2/PUD (Residential Multi-family) located at 2255 S. Los Altos Parkway, Sparks, NV.

Senior Planner Ian Crittenden presented this agenda item. Mr. Crittenden began his presentation with a clarification and correction regarding the published MF2/PUD zoning designation. The PUD designation is a typographical error and wherever the staff report references PUD it should read PD. PUD is a designation that was used historically to identify a Planned Unit Development in some of the developments within the City of Sparks. Some jurisdictions still use the PUD designation, however, Sparks' current zoning code refers to them as Planned Developments (PD).

Mr. Crittenden shared that procedurally this case is a bit of an anomaly. In the current zoning code for the City of Sparks, areas that are within a planned development are not typically rezoned. However, Mr. Crittenden stated that the handbook for this planned development is an oddity in that it requires a rezone to accommodate an attached home project.

Mr. Crittenden identified that the site is located at 2255 S. Los Altos Parkway. The applicant for the project is Landstar Companies. Mr. Crittenden displayed a vicinity map and identified surrounding uses. Mr. Crittenden also displayed current and proposed zoning maps, a development map overlay and a land use plan from the original handbook that identified the proposed uses and phases of development for the area. Mr. Crittenden shared that the Vistas Planned Development Handbook was approved in 1988 and is the oldest planned development in the City of Sparks. The Vistas Handbook was approved by a Special Use Permit which is how they were approved in 1988. The Vistas Handbook predates the current planned development provisions within the City's zoning code.

Mr. Thornley asked for clarification regarding referenced past and present zoning districts. Mr. Crittenden shared that there are zoning districts identified in the Vistas original planned development handbook that no longer exist and staff has

transitioned those zoning designations that no longer exist to the most closely mirrored current zoning designations. Mr. Thornley summarized by stating that as zoning designations come and go staff must look to find rough equivalencies. Mr. Crittenden concurred.

Mr. Crittenden reviewed the findings. Mr. Crittenden identified that the land use designation for the site is MF14 and MF2 is a permitted zoning designation within the MF14 land use. The site has been designated in the Vistas Planned Development Handbook for multi-family since the adoption of the handbook in 1988.

Mr. Crittenden shared a memo from the City Engineer Jon Ericson addressing the adequacy of City infrastructure to support the request. Mr. Ericson's memo identified that current sanitary sewer, storm drain and transportation infrastructure are sufficient to support the rezone request.

Mr. Crittenden stated that the project is consistent with the surrounding land uses. The location of multi-family projects adjacent to single-family projects is a common occurrence in the City and has been anticipated for this site since 1988. Mr. Crittenden provided examples of several areas within the city where multi-family projects are adjacent to single-family projects. In addition, Mr. Crittenden stated that this site is adjacent primarily to open space that will set the multi-family back from the surrounding properties.

Mr. Crittenden shared the public comment received to date. Staff had received 10 telephone calls and 6 emails at the time the staff report was written. Copies were attached to the staff report. Emails and comments received after the distribution of the staff report were provided to the Commissioners at the beginning of the meeting and will be posted on the website within 24 hours.

Staff is recommending approval of the request.

Assistant Community Services Director Armando Ornelas reminded the Commissioners that the Planning Commission is the recommending body for this request. The City Council will make the final decision

Commissioner Fewins asked for clarification regarding the sewer and transportation infrastructure needed for this project. Specifically, was a project of this density considered in the most recent sewer study and was a traffic study performed that addresses the public comments received.

City Engineer Jon Ericson responded by stating that the proposed development was included in the most recent sewer model. In response to the traffic concerns, a traffic study was performed that identified approximately 13,000 trips per day on the primary road serving this project. Studies have determined that widening of the roadway to accommodate more traffic will not need to occur until the average number of daily trips reaches over 14,800 per day. The current traffic issues on Los Altos are that there the competing phases of traffic at Los Altos and Vista during peak hours

coupled with a school zone during the school year. The proposed project does not require a traffic mitigation plan at this time. The traffic study indicated that the existing two lane roadway will provide sufficient capacity through the year 2035. Mr. Thornley asked for clarification regarding the 14,800 average daily trip policy being the threshold for widening a roadway. Mr. Ericson stated this is a regional policy. Mr. Ericson further stated that Los Altos Parkway is a regional road.

Mr. Michael Maserson the applicant and owner of Landstar Companies introduced himself and offered to answer additional questions. Mr. Loren Chilson of Traffic Works introduced himself and offered to provide further information and explanation regarding the traffic study that was performed for the proposed project. Mr. Chilson stated that the threshold for widening Los Altos is 17,300 daily trips not the 14,800 as reported by Mr. Ericson. This is the threshold that has been identified to maintain a Level C service flow rate for Los Altos Parkway.

Commissioner Carey requested clarification regarding the service levels and thresholds. Mr. Chilson briefly defined the service levels and stated that most roadways are operating at a service Level D service level which is a manageable and common level. A service Level of C is better than a service Level D.

Commissioner Fewins requested an explanation regarding the date the traffic study was performed and if the proposed project was included in the study. Mr. Chilson stated that the traffic study was originally performed in 2016 for Miramonte and was used as a baseline study for the proposed project. The proposed project was added to the original study and it was determined that the anticipated traffic would be at a Level C upon project completion.

The public comment was opened.

The following individuals were present at the meeting, were all in opposition, did not wish to speak and their names were read into the record by the Planning Commission Secretary: Evelyn Tifft, Barry Tifft, Irene Connors, Jody Ericksen, Tina Clowers, Pablo Mestre, Kathleen Wagner, Jason Albright, Julie Albright, Karen Gutendorf, Zoraida Cummings, Tracy Clopton, Brittany Dutra, Jacoby Dutra, Darren Charles, Amy Charles, Jane Stoner, Greg Moore, Louis Palush, Joan Palush, Luella Hill, Nicholas Shanto, Yvonne Shanto, Benjamin Luke, Deborah Reef, John Wilburn, Carmen Meikle, Rosalie Wilburn, William Malley, Jessica Medulla, Joseph Medulla, April Santana, Richard Kingsley, Ellen Kingsley, Jana Atkinson, Israel Lemus, Melissa Love, Justin Miceli, David Kroner, Gary Godfrey, Susan Godfrey, Joseph Mazzucotelli, Sharon Rae Heck, Karen Castaneda, Philip Castaneda, Michael Kwasna, Wesley Griffin, Colleen Williams, Ken Williams, Steven Hook, Sara Hook, Greg Scyphers, Charles Gray, Linda Gray, and Matthew Wright. (*Listed in order received*)

The following individuals spoke in opposition to the proposed rezone request.

Ardena Perry is concerned with the fiscal impact on the homeowner's association, increased traffic and egress during an emergency such as the recent fire.

Nicholas Williams, residing at 1850 High Desert Drive, is concerned with increased density in a mature planned development.

Gail Gutendorf, residing at 2185 Canyon Vista Drive, is concerned with the traffic and hydrology.

Edward Beroza is concerned with limited access, that most of the parcel is unusable, increased traffic, sidewalk only on one side of the street, noise, crime, school capacity and lack of homeowner's due contributions from apartment tenants.

Gary Smith, residing at 2212 Stone View Drive, is concerned with increased density in a mature planned development and the compatibility of a multi-family development in a primarily single-family development.

William Wagner is concerned with increased traffic.

Danielle Mestre expressed concern that not all residents were noticed regarding the proposed rezoning request. There are over a thousand residents that may be affected by the proposed rezone and anticipated development to follow.

Lois Hurst is concerned with proposed apartment development that would mean increased traffic volume and speeding.

Spencer Ericksen, residing at 2265 Stone View Drive, is concerned with an island of multi-family within a mature single family development. Also concerned with traffic, parking and a more transient population.

Joyce Carter, residing at 2271 Stone View Drive, is concerned with potential increased traffic, impact on the school and safety of the children.

Randy Connors, residing at 2326 Abacus Court, is concerned with increased traffic and the initial excavation of the site that will require large trucks and equipment on the roadway. Also concerned that if approved, the original density is adhered to. Also would like to see fiscal responsibility to the homeowner's association.

Tom Munoz, residing at 4688 Goodwin Court, is concerned with the potential drainage issues and the proposed height of any multi-family development.

James Clopton is concerned with increased traffic on a road that is already at capacity and decreased property values.

Jacqueline Miller, residing at 2195 Stone View Drive, is concerned with the impacts of increased traffic.

Terry Riddle, residing at 5196 Canyon Run Drive, is concerned with noise and traffic. Many residents already cannot use their backyards due to noise directly associated

with traffic. He would like to see the speed limit lowered for the safety of children and people walking their dogs.

Katherine Williams, residing at 1850 High Desert Drive, is concerned with the traffic impacts and safety.

Kevin Moloney, residing at 5125 Canyon Run Drive, is concerned with proposed increased density in an already mature planned development.

Julia Richardson, residing at 2296 Vista Terrace Lane, is concerned with daily traffic impacts as well as traffic impacts during an emergency.

Darrell Krom, residing at 2456 Stone View Drive, is concerned with traffic impacts.

Jeff Love, residing at 2346 Stone View Drive, is concerned with proposed multi-family development adjacent to established single-family development.

Angelo Carmella, residing at 4526 Goodwin Road, is concerned with safety, crime and traffic.

Mary Neuhoff, residing at 4692 Goodwin Court, is concerned with proposed multi-family development in the middle of a beautiful single-family development. Also worried about property values decreasing as a result.

Ben Luke, residing at 2284 Vista Terrace Lane, is concerned with traffic impacts.

Jonathan Phillips, residing at 5397 Desert Stone, is concerned with increased traffic and the safety of the children going to school.

Joe Hynek, residing at 2202 Snow Drift Court, is concerned with the impacts of more development and the potential for increased traffic. Also concerned with safety for children in the neighborhood.

Sharon Taylor, residing at 4663 Goodwin Road, is concerned for the safety of the children in the neighborhood. She also expressed concern regarding increased on-street parking.

Bobby Mistris is concerned with the multi-family development in the center of a single-family development.

The public comment was closed.

Chairman Petersen asked for questions and further discussion from the Commissioners.

Commissioner Carey requested clarification regarding the compatibility of a proposed multi-family development within the Vistas planned development to the City's comprehensive plan land use designation. Specifically, Commissioner Carey identified that per the staff report and presentation, the original developer planned for multi-family development within this planned development. Commissioner Carey

asked if the City has an opinion on the policy of compatibility of a proposed zoning in relation to the City's comprehensive plan land use designation. Mr. Crittenden stated that it is staff's opinion that the developer has always intended to have multi-family mixed with single-family within the planned development and the two are compatible.

Commissioner Carey also asked for clarification regarding the process for review of any development should the rezone request be approved. Mr. Crittenden replied that any proposed projects would be reviewed through an Administrative Review process upon the approval of the rezone request. During the Administrative Review process staff, as well as other appropriate outside agencies, will study issues such as traffic, drainage, police and fire protection, emergency access, parking, height restrictions, school needs, etc. The Administrative Review process is not a public meeting.

Commissioner Carey requested the anticipated dates for City Council to review the proposed request. Mr. Ornelas shared that the request will be agendaized for a first reading of the City Council on September 11 followed by a second reading and public hearing on September 25.

Commissioner Fewins asked Mr. Crittenden to share details regarding a meeting that staff had with the Vista Homeowner's Association. Specifically, Commissioner Fewins referenced a concern that the homeowners expressed regarding whether the parcel in question would be pulled out of the planned development. Mr. Crittenden responded that the parcel will still be a part of the planned development should the rezone request be approved.

Commissioner Fewins asked for clarification regarding the questions raised on drainage and possible flood concerns. Mr. Ericson responded to Commissioner Fewins' concerns regarding hydrology and drainage.

Commissioner Fewins also asked staff to address the concerns that were presented regarding potential school overcrowding. Mr. Crittenden responded that the school district would have an opportunity to review the project and comment during an Administrative Review process should a multi-family project be received upon approval of the rezone request.

Commissioner VanderWell asked for clarification regarding the Comprehensive Land Use for the parcel. Mr. Crittenden provided an explanation.

Mr. Thornley requested that Mr. Crittenden address the requirement for a rezone on the parcel to accommodate multi-family development. Mr. Crittenden stated that a rezone to develop multi-family on this parcel is required as identified in the Vistas Planned Development Handbook.

Mr. Thornley asked Mr. Crittenden to address the parking concerns that were raised during public comment. Mr. Crittenden stated that staff will have an opportunity to review any proposed projects during an Administrative Review process and address parking requirements or concerns at that time.

Mr. Thornley requested that Mr. Crittenden clarify the policies for hillside development. Mr. Crittenden stated that the municipal code has policies in place to address hillside development. These policies coupled with parking requirements will impact the proposed density of any proposed project. Mr. Ornelas further stated that there are also height and setback restrictions that will affect density of future development. Mr. Crittenden shared that the height restriction for any proposed project on the parcel is 30 feet.

Commissioner Fewins shared that he is unable to make Finding Z2. Commissioner Fewins stated that he does not believe a multi-family project will fit in the area.

Chairman Petersen shared that he is unable to support multi-family zoning on the parcel as he does not think it is compatible.

Commissioner Brock expressed concern with the potential increased foot and vehicle traffic a multi-family project will bring to the area.

Commissioner Carey stated that while it is a tough decision, he concurs with staff and is able to make Finding Z1. Commissioner Carey shared that a rezone request is a land use issue and the proposed zoning is consistent with the surrounding uses and the property's comprehensive plan land use designation. Commissioner Carey further stated that he concurs with staff's recommendation in Finding Z1 and that the proposed rezone would help support goal H1, and policies H1, H2 and CF1 of the City's comprehensive plan. Commissioner Carey also stated he is able to make Finding Z2 as he believes the proposed zoning request is compatible because the multi-family land use designation was deemed compatible through every comprehensive plan update the City has done since the approval of the Vistas Planned Development handbook in 1988. In addition, Commissioner Carey stated there an open space buffer between the proposed multi-family zoning and the existing single-family residential area which will also reduce any anticipated impacts.

No further discussion. Chairman Petersen called for a motion.

MOTION: Commissioner Carey moved to forward a recommendation of approval to City Council of the request associated with PCN17-0032 to rezone a parcel approximately 7.72 acres in size from PD (Planned Development – The Vistas) to MF2/PD (Residential Multi-Family -12-14 units per acre) based on the Findings Z1 through Z3, and the facts supporting these Findings as set forth in the staff report.

SECOND: Commissioner VanderWell.

Chairman Petersen asked for further discussion. No further discussion. Chairman Petersen called for a vote.

**AYES:** Commissioners Carey.

**NAYS:** Commissioners Petersen, VanderWell, Brock and Fewins.

**ABSTAINERS:** None.  
**ABSENT:** Commissioner Gaba.

Commissioner Fewins shared that he voted nay as he was unable to support Finding Z2 as previously stated.

The motion did not pass. Chairman Petersen asked for further discussion or an alternate motion.

MOTION: Commissioner Fewins moved to forward a recommendation of denial of the request associated with PCN17-0032 to City Council as he is unable to support Finding Z2 as listed in the staff report.

SECOND: Commissioner Brock.

**AYES:** Commissioners Petersen, VanderWell, Brock and Fewins.  
**NAYS:** Commissioner Carey.  
**ABSTAINERS:** None.  
**ABSENT:** Commissioner Gaba.

Passed.

Mr. Thornley requested a five-minute recess at 8:14 p.m. to allow time for the Council Chambers to clear. Chairman Petersen granted the request. The Commission reconvened at 8:18 p.m.