



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

To: Mayor and City Council

From: Marilie Smith, Administrative Secretary

Subject: Report of Sparks Planning Commission Action

Date: March 4, 2021

RE: **PCN20-0047** – Consideration of and possible action on a request to amend a final planned development handbook (Legends at Sparks Marina) for a site in the NUD (New Urban District – Legends at Sparks Marina) zoning district, generally located north of I-80, south of Prater Way, and west of Sparks Boulevard, Sparks, Nevada to: a) modify sign standards and b) change the location of and associated landscaping requirements for the west buffer wall.

Please see the attached excerpt from the February 4, 2021 Planning Commission meeting transcript.

1 MS. SMITH: Commissioner Pritsos?
2 COMMISSIONER PRITSOS: Aye.
3 MS. SMITH: Commissioner Carey?
4 COMMISSIONER CAREY: Aye.
5 MS. SMITH: Commissioner Kramer?
6 COMMISSIONER KRAMER: Aye.
7 MS. SMITH: Commissioner Petersen?
8 COMMISSIONER PETERSEN: Aye.
9 MS. SMITH: Commissioner Rawson?
10 COMMISSIONER RAWSON: Aye.
11 MS. SMITH: And Commissioner West?
12 COMMISSIONER WEST: Aye.
13 CHAIRMAN READ: Okay. Motion passes
14 unanimately.

15 Let's move on to item number 8, which is
16 PCN19-0047, consideration of and possible action on a
17 request to amend a final planned development handbook,
18 Legends at Sparks Marina, for a site in the New Urban
19 District, Legends at Sparks Marina, zoning district,
20 generally located north of I-80, south of Prater Way,
21 and west of Sparks Boulevard, Sparks, Nevada to, A,
22 modify sign standards and, B, change the location of and
23 associated landscaping requirements for the west buffer
24 wall.

25 COMMISSIONER WEST: Dani, you're muted.

1 MS. WRAY: Okay. Let's try this again. Okay.

2 Does everyone see the screen?

3 CHAIRMAN READ: Yes, we can see it.

4 MS. WRAY: Okay. Great. Thank you. Okay.

5 For the record, again, I am Dani Wray, Planner.
6 I am here to present to you request to amend the planned
7 development handbook for Legends at Sparks Marina by
8 modifying development standards for signs and
9 landscaping requirements associated with the buffer wall
10 along the western boundary of the site.

11 The site is generally located north of I-80 and
12 west of Sparks Boulevard and east of the Sparks Marina.
13 And the site is outlined here in red.

14 So this request seeks to modify both
15 development standards for some sign classifications
16 within the handbook, as well as landscaping requirements
17 for buffer walls on the western side of the Legends
18 development.

19 The City Council originally approved the
20 handbook back in 2006. And as some of you may recall,
21 City Council and the Planning Commission reviewed, but
22 City Council most recently amended the handbook this
23 past September, revising development standards for movie
24 theater signs.

25 As proposed, the handbook would be modified,

1 lowering the minimum leasable area necessary to qualify
2 as a Sub-Major Retail Tenant from 15,000 square feet to
3 8,000 square feet, and lowering the maximum leasable
4 area for a Small Shop Retail Tenant from 14,999 square
5 feet to 7,999 square feet. Additions and deletions
6 reflecting these changes and a redline format are on
7 page 59 of Exhibit 2.

8 The proposed amendment would permit newly
9 classified Sub-Major tenants wall signs with 48-inch
10 letters and marquis signs with 20-inch letters, versus
11 30-inch letters on wall signs and 16-inch letters on
12 marquis signs currently permitted when classified as a
13 Small Shop tenant.

14 There's a total of 64 small shops and eight
15 Sub-Major tenants. This slide shows the impacted tenant
16 spaces for both existing tenants in yellow and future
17 tenant spaces in green at the site. The proposed
18 amendment would affect six existing and two future
19 retail tenant spaces, or 11 percent of the total tenant
20 spaces at the site.

21 The photo on the left illustrates the current
22 development standards for wall signs for currently
23 classified Small Shop tenants, which is 30 inches in
24 height, while the photo on the right shows a mock-up of
25 the same tenant space reclassified as a Sub-Major

1 tenant. Due to the reclassification, the tenant will
2 utilize the currently allowed sign dimensions for
3 Sub-Major tenants, which is 48 inches in height.

4 The overall dimensions of allowed wall signs
5 are not proposed to be modified, only the applicability
6 of the larger signs to tenants down to 8,000 square feet
7 in size. This will be impacting six existing tenants
8 and two future tenants.

9 The increase in size is appropriate for
10 Sub-Major tenant spaces and is not oversized for this
11 space. The applicant has stated that respect to the
12 justification for the signage update, the current 15,000
13 square-foot threshold for the transition from Small Shop
14 designation to Sub-Major designation is an outdated
15 threshold. All of the Legends development current sign
16 criteria reflect a lower threshold, which the applicant
17 states better accommodates today's tenant need for
18 improved visibility.

19 They are in lease with the tenant and the
20 affected square footage bracket whose standard signage
21 would not be permitted under the current sign criteria
22 but would be permitted under the proposed change.

23 This request also proposes to modify the
24 location of the landscaping associated with the buffer
25 wall along the western side of the site that separates

1 commercial uses from the residential uses to the west,
2 the Marina Village planned development. The wall is
3 located here on this map shown in purple.

4 The handbook currently requires landscaping on
5 both sides of the buffer wall and specifies the planting
6 bed located on the residential or west side of the
7 buffer wall will be a minimum of 10 feet in width, shown
8 here, north -- excuse me, jumped ahead. Shown here
9 north of Bayshore Drive to Lincoln. This is not
10 proposed to change. So from Bayshore Drive north to
11 Lincoln Way, shown here on this north buffer wall
12 exhibit, the proposed changes identify a future buffer
13 wall that will be located on the east side of Windsurfer
14 Drive, shown here between the green and the yellow.

15 The current standard in the handbook does not
16 require a minimum landscape dimension on the east side,
17 while requiring a 10-foot landscaping buffer on the west
18 side.

19 So this slide here shows what's currently
20 required. While a buffer is required on the east side,
21 no dimension is given. The applicant is proposing a
22 5-foot landscape buffer on the east side.

23 The proposed modification still requires 10
24 feet of landscaping on the west side of the wall,
25 including a sidewalk, if required, at 5 feet of

1 landscaping on the east side of the buffer wall.

2 Between Bayshore Drive and the Residence Inn by
3 Marriott to the southeast, shown here on the south
4 buffer wall exhibit, the proposed changes eliminate the
5 requirement for a 10-foot-wide planting bed on the
6 residential or west side of the buffer wall and instead
7 requires a landscape buffer that is a minimum of 10 feet
8 in width on the east side of the buffer wall where no
9 current requirement to have a buffer exists. This will
10 provide a benefit to the hotel guests.

11 You'll note that the green area shown on the
12 exhibit here for the south buffer wall is shown on the
13 adjacent properties as the buffer wall in that area is
14 located on the property line. The applicant cannot meet
15 that requirement without demolishing and rebuilding the
16 wall south of Bayshore. In addition, the neighbors have
17 indicated they do not want a landscape buffer on the
18 west side of the wall south of Bayshore, which would
19 provide screening for persons who are not members of the
20 community, such as vagrants.

21 Also shown on both exhibits is a gate which
22 will allow City staff access to maintain equipment and
23 operation of the canal. The gate is shown here.

24 Additions and deletions reflecting these
25 changes are shown starting on page 70 of the handbook.

1 So now I'm going to transition over to the
2 findings, which are grouped together in similar
3 categories in some cases. PDa, PDb and PDg are all
4 concerned with conformance and consistency. This
5 amendment supports conformance with the Comprehensive
6 Plan in Goals MG2, CC1, and Goal EV4.

7 The requested amendment modifies the location
8 of landscaping along the west buffer wall that separates
9 commercial uses in the Legends planned development from
10 residential uses to the west. As proposed, the
11 modifications to the location of the required
12 landscaping will promote continued compatibility between
13 residential and commercial uses, supporting Goals MG2
14 and CC1.

15 Modifications to the leasable area thresholds
16 for Small Shop and Sub-Major tenant spaces permit the
17 existing larger sign letter height dimensions for
18 smaller shops, supporting Goals MG2 and CC1.

19 These sign standard modifications further
20 support Goal EV4 by enhancing the shopping center's
21 place making elements, identifying tenant spaces, and
22 incentivizing their retention and attraction of Legends
23 businesses and are appropriate for site's TC zoning.

24 PDb, the proposed amendments to the handbook do
25 not change the types of land uses permitted within

1 Legends planned development, only certain development
2 standards related to signs and landscaping associated
3 with the west buffer wall. While the amount of
4 landscaping adjacent to the single-family residential
5 uses on the west side of the buffer wall would be
6 reduced, these changes codify the as-built condition
7 that has not adversely impacted the adjacent
8 single-family residences and does reflect the as-built
9 condition.

10 Therefore, this amendment does not adversely
11 impact surrounding uses.

12 As the proposed modifications to the handbook
13 are limited to amending the sign standards for Small
14 Shop and Sub-Major retailers and the classifications of
15 such, the requirements for landscaping adjacent to the
16 walls on the western border of the site, the efficient
17 development and preservation of the entire planned
18 development are not affected.

19 This amendment also supports public interest.
20 A fiscal analysis was not required with this amendment
21 because there are no proposed changes to densities or
22 types of land uses. As discussed in finding PDa above,
23 the proposed modifications to sign standards as they
24 apply to newly classified Sub-Major tenants will assist
25 with place making and tenant space identification within

1 the Legends development and will not adversely affect
2 adjacent residential uses. Modification of the
3 landscaping required along the west buffer wall is not
4 anticipated to adversely affect adjacent residential
5 uses as the changes reflect the as-built conditions
6 south of Bayshore Drive.

7 And there are no proposed changes to the land
8 uses permitted by the handbook, and the proposed
9 amendments are not anticipated to not have any negative
10 affect on residents, owners, tenants, or the public.

11 The public interest is served by modifications
12 to retail tenant signs as they provide for more visible
13 but not excessive identification for additional
14 retailers within the Legends development. The
15 modifications to landscaping adjacent to the west buffer
16 wall support continued compatibility between commercial
17 uses in the Legends development and adjacent residential
18 uses and, therefore, do not adversely affect the public
19 interest.

20 Modifying the applicability of the existing
21 larger sign standards for reclassified former Sub-Major
22 tenants supports tenant identification within the
23 Legends planned development and does not impact land
24 abutting or across the street from the site. The
25 modification to the landscape buffer standards reflects

1 the as-built condition south of Bayshore Drive and is
2 not anticipated to adversely impact adjacent uses.

3 The buffer walls serve the entire planned
4 development and the public. The modified sign
5 classifications -- excuse me, the modified tenant
6 classifications also serve the entire planned
7 development and the public by providing an easy
8 identification of additional tenants at the Legends
9 shopping center in terms of the signage. So the
10 handbook changes would not be granted to confer a
11 private benefit upon any one person.

12 Public notice was given as required by the
13 Sparks Municipal Code and Nevada Revised Statutes. The
14 Planning Commission and City Council meetings function
15 as the public hearings for this item. This request was
16 noticed at a minimum to all owners of property within
17 the Legends planned development and within 750 feet of
18 the Legends planned development boundary. A total was
19 106 notices were mailed to property owners on
20 January 21st, 2021. Public notice was also published in
21 the Reno Gazette-Journal also on January 21st.

22 In terms of public comment, staff has received
23 only one inquiry from a resident at 1195 Bayshore Drive
24 and returned his call to provide additional information.

25 Staff is recommending approval of this

1 amendment to the handbook.

2 This concludes my presentation. And I am
3 available for any questions.

4 CHAIRMAN READ: Thank you, Dani.

5 Do any of the Commissioners have questions for
6 staff?

7 I don't see any. Is the applicant's rep here,
8 and would they like to provide any additional
9 information?

10 MR. DAVID DAWSON: Yes, good evening. My name
11 is David Dawson. I'm here representing RED Development.
12 Also in attendance is Frank Bidart, our engineer from
13 Odyssey Engineering. No further comments to add to
14 Dani's presentation. But happy to answer any questions.

15 CHAIRMAN READ: Thank you.

16 Do any of the Commissioners have questions for
17 the applicant?

18 Seeing none, let's go ahead and open it up for
19 public comment.

20 Marilie, can you go ahead and provide the
21 call-in information?

22 MS. SMITH: So the call-in information is
23 1-669-900-6833. The meeting ID number is 956 9593 1818.
24 Press 9 to request to speak, or you can also access the
25 link shown here.

1 CHAIRMAN READ: Thank you.

2 Do we have anybody waiting for public comment
3 on this item?

4 MS. MARTINEZ: We do not have any requests to
5 speak.

6 CHAIRMAN READ: All right. Thank you.

7 Let's go ahead and close the public comment and
8 bring back to the Commission for discussion or a motion.

9 Oh, Commissioner Carey, I didn't see your hand.

10 COMMISSIONER CAREY: Thank you, Madam Chair. A
11 couple questions to staff.

12 Dani, my first question is, I'm just curious
13 how the proposed new sign standards, how do those
14 compare in terms of allowed sign area in the Tourist
15 Commercial zoning district, is it pretty comparable?

16 MS. WRAY: Actually, I don't know the answer to
17 that question. There's no change in the sign standards
18 per se. The signage allowed currently in the handbook
19 are not proposed to change.

20 The only thing that's really changing is the
21 threshold at which those different standards can be
22 applied. They have lowered or are requesting to lower
23 the threshold of a Sub-Major tenant down to a lower
24 level so that some of the Small Shop tenants will now be
25 classified as Sub-Majors and can utilize the larger sign

1 standards that are already permitted within the
2 handbook.

3 COMMISSIONER CAREY: Okay. Thank you for that
4 explanation. My second question was, and just for
5 clarification on my end, so under the proposed change to
6 the handbook, from Bayshore Drive going north to Lincoln
7 Way, there would be a sidewalk, 10-foot landscape
8 buffer, wall, and then 5-foot landscape buffer on the
9 commercial side?

10 MS. WRAY: That is correct.

11 COMMISSIONER CAREY: Okay. Thank you for that,
12 that clarification.

13 MS. WRAY: Sure.

14 COMMISSIONER CAREY: No further questions,
15 Madam Chair.

16 CHAIRMAN READ: All right. Thank you,
17 Commissioner Carey.

18 Any other questions from any of the other
19 Commissioners?

20 Seeing none, I will entertain a motion.

21 Commissioner Carey, I see your hand up again.

22 COMMISSIONER CAREY: Yeah, I'd like to kick the
23 discussion off on this one. I'd like to thank staff for
24 the clarification. And the new exhibits, I think those
25 are really helpful to allow the public and me personally

1 what's going on.

2 I concur with staff's recommendations on the
3 proposed sign area changes. I think, with the
4 commercial land use on this area, I think, the proposed
5 sign area and the new classifications are appropriate
6 given what our Comprehensive Plan calls out for this
7 area.

8 I also concur with staff's recommendation on
9 the proposed changes to the landscaping standards. It
10 makes a lot of sense that there would be a buffering,
11 you know, on the residential side going from Bayshore
12 Drive north to Lincoln Way. I think, that's important
13 we maintain that.

14 When the Commission reviewed the conditional
15 use permit for the RV service facility, we heard a lot
16 of complaints from neighbors about concerns with noise
17 and that the existing fencing was not adequate to
18 mitigate the noise. I think, with the proposed changes
19 in the handbook and keeping those buffers on both sides,
20 and a new wall to replace the temporary wall, will do a
21 lot to mitigate the noise and other impacts from the
22 commercial uses and the adjacent residential uses.

23 So with that, I'm prepared to main a motion.

24 CHAIRMAN READ: Go ahead, Commissioner Carey.

25 COMMISSIONER CAREY: Madam Chair, I move to

1 forward to the City Council a recommendation of approval
2 of the request to amend the Legends at Sparks Marina
3 planned development handbook, PCN20-0047, based on
4 Findings A through J and the facts supporting these
5 findings, as set forth in the staff report.

6 CHAIRMAN READ: Thank you.

7 We have a motion. Can we get a second?

8 COMMISSIONER KRAMER: Second.

9 COMMISSIONER RAWSON: I'll second.

10 CHAIRMAN READ: I think, Commissioner Kramer
11 beat you to it this time, Commissioner Rawson.

12 Go ahead, Commissioner Kramer.

13 COMMISSIONER KRAMER: Madam Chair, I'll second
14 that motion.

15 CHAIRMAN READ: All right. Thanks.

16 We have a motion by Commissioner Carey and a
17 second by Commissioner Kramer. Any further discussion?

18 Okay. Can we go ahead and do a roll call vote?

19 MS. MARTINEZ: Commissioner Read?

20 CHAIRMAN READ: Aye.

21 MS. SMITH: Commissioner Pritsos?

22 COMMISSIONER PRITSOS: Aye.

23 MS. SMITH: Commissioner Carey?

24 COMMISSIONER CAREY: Aye.

25 MS. SMITH: Commissioner Kramer?

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COMMISSIONER KRAMER: Aye.

MS. SMITH: Commissioner Petersen?

COMMISSIONER PETERSEN: Aye.

MS. SMITH: Commissioner Rawson?

COMMISSIONER RAWSON: Aye.

MS. SMITH: Commissioner West?

COMMISSIONER WEST: Aye.

CHAIRMAN READ: Thank you. Motion passes
unanimously.

Let's move on to general business. First item
is PCN20-0044, consideration of and possible action on a
request for a tentative map for a 356-lot townhome and
detached single-family house subdivision on a site
approximately 52.07 acres in size within the New Urban
District of Stonebrook zoning district, generally
located southeast of Pyramid Way and south of La Posada
Drive in Sparks.

MS. REID: Okay. Thank you, Chair Read and
members of the Planning Commission. Sienna Reid, for
the record, with the Planning Division. I'll be
presenting this item for you this evening.

And before I get going, I just want to confirm
that you can see a slide indicating that we're on the
Stonebrook Phase 3 Village AA and BB item.

CHAIRMAN READ: We can see it.