



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

To: Mayor and City Council
From: Janet Stout, Administrative Secretary
Subject: Report of Planning Commission Action
PCN12028
Date: October 24, 2012

RE: PCN12028 Rising Tides, LLC – Consideration and possible action on a request to amend a final planned development handbook (Kiley Ranch North Phase 4) found out of conformance with the tentative handbook to change land use designation from 22.1 acres of MHR (Medium-High Residential) and 2.7 acres of HR (High Residential) to AC (Arterial Commercial) and to revise development standards and other matters properly relating thereto, on a site totaling approximately 24.8 acres located on the northwest corner of Pyramid Way and Highland Ranch Parkway, Sparks, NV.

At the regularly scheduled Planning Commission meeting of October 4, 2012, Senior Planner Karen Melby introduced this item and reviewed the information in the staff report. Ms. Melby distributed a list of corporate officers to the Commissioners and stated based on the findings listed in the staff report, staff is recommending approval of the amendment to the Phase 4 Kiley Ranch Handbook. The 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 removing the multi-family housing and designating the property for arterial commercial uses. The amendment makes Phase 4 entirely commercial uses. There remains opportunity for the development of multi-family housing and single family housing in the balance of the Kiley Ranch North Planned Development.

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 arterial commercial uses will provide land uses that will serve the general Spanish Springs Valley and Sun Valley area.

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 commercial uses will require minimal need for public services and less need than multi-family housing would have required.

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 proposed removal of the option to build multi-family housing makes this planned development entirely commercial uses. The Kiley Ranch North project was approved for the potential of 4,463 units. This amendment does not affect the potential for housing in the planned development.

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 commercial uses because they desire to develop Phase 4 as commercial which is what this area was originally designated commercial in the tentative handbook. When the Phase 4 handbook was approved in 2008, it changed the designation from Arterial Commercial to MHR. This request is changing the designation back to the approved land use in the approved tentative handbook. The handbook establishes standards to minimize entitlement review time for new development.

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 Kiley Ranch North Phase 4 does change the density, in that eliminating the multi-family housing substantially reduces the proposed density of the site.

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.

Generally, the development of commercial is single story development. So the proposed handbook amendment will not depart from zoning regulations for bulk.

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 development standards establish landscape, architecture, setbacks, height and lighting restrictions for the buildings placed within the planned development.

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 Phase 4 is the landscaped areas. The standards within the Planned Development Handbook maintain the streetscape and propose landscape standards that are consistent with code and exceed some standards.

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

The Kiley Ranch North Development Standards Handbook – Phase 4 does address the maintenance and conservation of the common open space through a maintenance organization.

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 for commercial projects. The streetscape and the proposed landscape / water feature will provide sufficient landscaping to meet the intent of the common space for commercial uses.

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 proposed commercial land uses 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 property is located at the northwest corner of Highland Ranch Parkway and Pyramid Way, which are existing arterials. As part of this handbook, there are no propose changes to these streets.

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

The standards in the planned development establish landscape requirements for the areas along the street frontages and within the future commercial site.

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

Kiley Ranch North has been developing as a mix of residential, commercial and business park land 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 development plans of Kiley Ranch North started in 2004. The approved tentative handbook was to develop a mix of land uses, providing a housing-job balance. The tentative handbook was approved originally with commercial land use in this area. This amendment is changing the property back to the original land use designation.

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

The Land Use Plan Goals and Policies in the 1991 NSSOI Master Plan update that are also 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.

ACTION STRATEGIES

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

The proposed Kiley Ranch North Phase 4 planned development has development standards that address flexibility and efficient development of the Ranch.

Goal SIP 1: Ensure that the primary scenic views of the planning area from Pyramid Highway and Spanish Springs Road are protected.

Policy: SIP 1a: A minimum 25-foot buffer should be provided between all property lines and pavement along all arterial streets. Fences, walls or structures should be discouraged in these areas. At time of subdivision application review, a landscape/xeriscape plan should be evaluated.

The proposed planned development standards handbook has landscape buffers on all the arterial streets and provides minimum 15% open space.

Goal SIP 22: Support master planned development and master development agreements.

SIP 22a: Require developers to prepare development standards handbooks for all residential, commercial and restricted industrial/business park projects that outline architectural guidelines and performance standards in accordance with the policies in this plan.

The development standards handbook governs the standards for development within the Kiley Ranch North Planned Development Phase 4.

Goal SIP 23: Encourage a mix of land uses and densities to promote a balanced community with residential, commercial, thorough architectural guidelines, signage and development standards, restricted industrial, business and recreational areas.

This request to provide an area of commercial uses that will serve the residents of the area.

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

The surrounding land uses and Zoning is summarized in the table below:

Direction	Land Use / Zoning
North	Vacant / NUD (Kiley Ranch North Planned Development)
South	Vacant / Open Space
East	Vacant / General Rural
West	Vacant / NUD (Kiley Ranch North Planned Development)

Kiley Ranch North Phase 4 is located at the base of the mountains separating Spanish Springs Valley from Sun Valley. Phase 4 is located adjacent to arterials that serve the Spanish Springs Valley and provides access to Sun Valley.

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 Kiley Ranch North Planned Development Phase 4 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 proposing land uses that were originally approved in the tentative handbook for Kiley Ranch North.

Melissa Lindell with Wood Rodgers introduced herself along with Scott Christy who is representing Rising Tides, LLC and Mr. Lilliquist with Maverick. Ms. Lindell gave a brief history of the planned development.

The public hearing was opened.

Tom Iorio who lives in a neighborhood close to this development, had concerns this development would affect the resale of his property. He also asked what will be built if this request is approved.

Ms. Lindell gave a list of the allowable uses in the commercial area.

The public hearing was closed.

MOTION: Planning Commissioner Lean moved to approve forward a recommendation of approval to the City Council, of PCN12028 on the final handbook amendment based on the facts supporting these findings as set forth in the staff report.

SECOND: Planning Commissioner Nowicki.

AYES: Planning Commissioner Voelz, Nowicki, Peterson, Lean, and Sperber.

NAYS: None.

ABSTAINERS: None.

ABSENT: Commissioner Sanders and Fewins.

Passed.