



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

To: Mayor and City Council

From: Marilie Smith, Administrative Secretary

Subject: Report of Planning Commission Action
PCN16042

Date: August 4, 2017

RE: PCN16042 – Consideration and possible action, for a site 3.47 acres in size located at 3650 Wedekind Road, Sparks NV, of; a request for voluntary annexation into the City of Sparks and a request to rezone the site from SF15 (Residential Single Family) to SF6 (Residential Single Family) zoning.

Planning Manager Jim Rundle presented this item. Mr. Rundle shared that this is a voluntary request for annexation and rezoning from the property owner, Lisha Liu. Mr. Rundle presented a vicinity map and explained that this area was included in a Regional Plan update process in the early 2000's. The annexation request is within the sphere and is also contiguous to land within the City of Sparks.

Mr. Rundle reviewed the findings associated with the annexation request. Mr. Rundle identified that although some of the findings can be met, staff has identified that the site does not promote the recently adopted Comprehensive Plan goals and policies in regard to cost effective provision of services and capital facilities. It is staff's opinion that the project would not be fiscally positive for the City.

Mr. Rundle shared that the City has approved a Capital Improvements Plan that would provide sewer capacity for development of the site in future, however the City is not prepared to provide sewer at this time. In addition, Mr. Rundle stated that staff discovered in the applicant's Fiscal Analysis that a subdivision was planned on the site. The Fiscal Analysis only included the section of road directly located in front of the project. However, Mr. Rundle shared that should a subdivision be constructed, state statute requires that the City annex the entire portion of Wedekind Road from El Rancho to Sullivan. Staff estimates that the \$473,000 deficit identified in the Fiscal Analysis could be three to four times higher making the project fiscally negative to the City of Sparks over a 20-year period of time. Staff is recommending denial of the annexation request. Mr. Rundle stated that should the Planning Commission uphold staff's recommendation of denial for the annexation, the rezoning request should also be denied as there is no ability for the governing body to rezone land that is not annexed.

Mr. Rundle briefly presented and reviewed the findings associated with the rezone request. As with the annexation request, staff was unable to make all of the findings required to meet the goals and policies of the Comprehensive Plan. Staff is recommending denial of the annexation and rezone request.

Mr. Thornley asked for clarification regarding the \$473,000 road fund deficit identified in the Fiscal Analysis prepared for the project. Mr. Rundle stated that this amount only represents required maintenance and repair for the section of road located directly in front of the proposed project. The creation of a subdivision requires adoption of the entire section of road from El Rancho to Sullivan. Staff's recommendation of denial is based on projected impacts of the proposed project as listed in the applicant's Fiscal Analysis submitted with the request.

Commissioner Carey asked for clarification regarding the state statute that requires the annexation of the entire road with the development of a subdivision on the site. Mr. Rundle clarified that without any development on the site, the City would be required to maintain the section directly in front of the site. The development of a subdivision on the site would require the City to annex the entire section of road. Commissioner Carey asked if there were other areas within the City where the City has taken responsibility of an entire section of road as a result of an annexation. Mr. Rundle identified areas within the City where similar impacts have resulted.

Mr. Greg Evangelatos, representing the applicant, spoke in favor of the request. Mr. Evangelatos stated he respects staff's position on the request, however, infill has challenges. Mr. Evangelatos stated he further understands that the trigger mechanism and basis for denial was based on the potential development of a subdivision and the financial responsibilities regarding the potential annexation of a larger section of Wedekind Road. Mr. Evangelatos stated that while he understands, he does not agree that this project should be burdened with the anticipated financial impacts of the entire section of Wedekind Road. The applicant is willing to pay for their fair share. Mr. Evangelatos also shared that the applicant's request had been deferred for 10 months to allow for the completion of a sewer study prior to moving forward. Mr. Evangelatos stated that the project would benefit the area and would be a good infill project meeting the needs of the community. In closing, Mr. Evangelatos stated that he thought the infrastructure issues could be cured and the project would be beneficial to the City.

The public comment was opened.

Lisa Fehlen, residing 3883 Wedekind Road, spoke in opposition of the project. Ms. Fehlen owns the acre adjacent to the proposed project and would like to keep the area the same. Ms. Fehlen stated that any development should be low density to keep the area the same.

Walter W. Willis, residing at 2180 Delaware Ct., spoke in opposition of the project. Mr. Willis does not want higher density affordable housing in the area.

Frank Bigotti, residing at 3515 Wedekind Road, spoke in opposition of the project. He is not opposed to the annexation. He is opposed to the rezone request. He asked that the City to consider the implications of development on the site and the potential traffic problems associated with it.

Wanda Cockayne residing at 3720 Wedekind Road, spoke in opposition of the project. Ms. Cockayne is concerned with the potential of increased traffic and the possibility of widening the road. Ms. Cockayne explained that many of the homes are built very close to Wedekind Road and if the road was widened it would bring the road very close to some of the older existing homes.

Ms. A.J. Torres Gallegos, residing at 2201 Hawks Nest Ct., spoke in opposition of the project. Ms. Gallegos expressed concern regarding increased traffic and crime. Ms. Gallegos stated she works for the Reno Police Department and is aware of the call volume in the area presently and is concerned crime may increase with increased traffic and residents in the area.

Mr. Jay Jorgenson, residing at 3725 Wedekind Road, spoke in opposition of the project. Mr. Jorgenson believes the proposed development is too dense for the area. Wedekind Road is already heavily traveled and unsafe at certain times of the day.

Mr. Norman Ross, residing at 2400 Farrel Ross Drive, spoke in opposition of the project. Mr. Ross is concerned with increased traffic. Wedekind Road has become a very unsafe route and one that is used more and more frequently as an alternate route to get to the freeway. He believes additional development will only make the situation more unsafe.

Mr. Peter Lance, residing at 3575 Wedekind Road, spoke in opposition of the project. Mr. Lance is concerned with the proposed density. He would like the area maintained as a quiet country neighborhood within the City of Sparks. The residents like the country feel of the area.

Mr. Hernan Aguirre, residing at 3701 Wedekind Road, spoke in opposition of the project. Mr. Aguirre stated he would also like to maintain the country feel of the neighborhood. Mr. Aguirre is also concerned with the potential of increased traffic.

Mr. Francisco Javier Gallegos, residing at 2201 Hawks Nest Ct., spoke in opposition of the project. Mr. Gallegos is concerned with increased density in the area and the potential for more crime and traffic. He is also concerned that the development will open the neighborhood up to more foot traffic and potential trouble.

Ms. Beth Ross, residing at 2400 Farrel Ross Drive, spoke in opposition of the project. Ms. Ross is concerned that the increased density will mean increased crime. She has lived in the area for several years and has witnessed the surrounding neighborhoods change with increased density.

Ms. Karin Russell-Lance, residing at 3575 Wedekind Road, spoke in opposition of the project. Ms. Russell-Lance is concerned with the density of the project and the potential for increased crime and traffic in the area.

Mr. Ron Cockayne, residing at 3720 Wedekind Road, spoke in opposition of the project. Mr. Cockayne is concerned with the proposed density. He is not opposed to development in the area but would like to see fewer homes proposed.

Chairman Petersen introduced a written statement received from Michael Ukraine, residing at 3883 Wedekind Road. Mr. Ukraine's letter is in opposition of the proposed project. Mr. Petersen shared that Mr. Ukraine's wife spoke earlier during public comment and as such, the letter would not be read aloud but would be included in the record.

The public comment was closed.

Chairman Petersen asked for further discussion or a possible motion.

Commissioner Carey stated that he appreciated the public comment. Mr. Carey shared that from his perspective the fiscal impact of this request is not acceptable to the City. This is not a fiscally positive project for the City and goes against the goals and policies identified in the Comprehensive Plan. Mr. Carey shared that he agrees and understands the state statute and the requirement to bring the primary access road up to an acceptable standard should the request be approved. Mr. Carey stated that unfortunately this request is not fiscally prudent at this time.

Mr. Rundle provided clarification that the annexation of the parcel would not, by itself, require the City to annex the entire section of Wedekind Road from Sullivan to El Rancho. The annexation would require the City to annex the road directly in front of the site. The event that would trigger the annexation of the entire section of road would be a Tentative Map request on the site creating a subdivision. Mr. Thornley asked for clarification regarding the basis of the City's concern with regard to the creation of a subdivision. Mr. Rundle stated that the concern is based on the applicant's intent to create a subdivision as stated in the contents of the Fiscal Analysis.

Commissioner Carey stated that he appreciated the clarification and further stated that he is unable to make finding A2.

No further discussion. Chairman Petersen asked for a vote.

MOTION: Commissioner Carey moved to forward a recommendation of denial to City Council of the voluntary annexation request for PCN16042, based on consideration of Findings A1 through A4, and the facts concerning these findings as set forth in the staff report.

SECOND: Commissioner VanderWell.

Mr. Thornley reminded the Commissioners that a vote of denial of the annexation directly impacts the rezone request as there no ability for the governing body to rezone land that is not annexed.

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

Passed.

MOTION: Commissioner Carey moved to forward a recommendation of denial to City Council of the rezone for PCN16042, based on consideration of Findings Z1 to Z3, and the facts concerning these findings as set forth in the staff report.

SECOND: Commissioner Gaba.

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

Passed.