



**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: September 1, 2020

RE: **PCN20-0025** – Consideration of and possible action on a request to amend a final handbook (Legends at Sparks Marina) by modifying sign standards for movie theaters for a site generally located north of I-80, south of Prater Way, and west of Sparks Boulevard, Sparks, Nevada in the NUD (New Urban District – Legends at Sparks Marina) zoning district. (For Possible Action)

Please see the attached excerpt from the August 6, 2020 Planning Commission meeting transcript.

1 CHAIRMAN READ: Aye.

2 MS. SMITH: Commissioner Petersen?

3 COMMISSIONER PETERSEN: Aye.

4 MS. SMITH: Commissioner Blaco?

5 COMMISSIONER BLACO: Aye.

6 MS. SMITH: Commissioner Carey?

7 COMMISSIONER CAREY: Aye.

8 MS. SMITH: Commissioner Pritsos?

9 COMMISSIONER PRITSOS: Aye.

10 MS. SMITH: Commissioner Rawson is absent.

11 Commissioner VanderWell?

12 COMMISSIONER VANDERWELL: Aye.

13 CHAIRMAN READ: Thank you. Motion passes.

14 So next is our public hearing items. And we

15 start off with PCN20-0025, which is consideration of and

16 possible action on a request to amend a final handbook

17 for Legends at Sparks Marina by modifying sign standards

18 for movie theaters for a site generally located north of

19 I-80, south of Prater Way, and west of Sparks Boulevard

20 in the New Urban District at Legends zoning.

21 MR. CRITTENDEN: Commissioner Read and members

22 of the Planning Commission, I am Ian Crittenden, your

23 Development Services Manager. I'll be covering this

24 item tonight.

1 I'm going to share my screen. Is that visible
2 by everyone?

3 CHAIRMAN READ: Yes.

4 MR. CRITTENDEN: Good deal. As stated, this is
5 a request to amend a planned development handbook
6 regarding standards related to movie theaters in the
7 Legends at Sparks Marina.

8 This site is probably fairly familiar to most
9 of us. It is located just north of I-80 and just west
10 of Sparks Boulevard.

11 The proposed amendment to the handbook will
12 apply to the entirety of this handbook. However,
13 there's only one theater in there at this time and
14 probably the only one that'll ever be there. But it is
15 something that could potentially happen, and so it's
16 good to note that this is a change to any theater that
17 comes along in the planned development.

18 And it's also good to remember that the
19 handbook permit, all of the uses that are permitted in
20 the Tourist and Commercial district are permitted in the
21 Legends at Sparks Marina planned development.

22 To give you a little bit of the background for
23 this item, this is a cleanup item to rectify a
24 procedural error in the original approval of the sign

1 modifications.

2 So following the approval of the amendment to
3 the handbook that happened in April of this year, staff
4 and the applicant's attorney identified a discrepancy
5 between the owner's copy and the history of approved
6 handbook amendments. The owner's copy showed
7 modifications to the development standards for movie
8 theaters with a revision date of January 7th, 2014.
9 However, there's no record of an application or
10 modifications to the movie theater sign standards
11 submitted, approved or recorded. And while the proposed
12 modifications to the handbook, handbook's movie theater
13 sign regulations were not formally approved, the movie
14 theater signs were installed consistent with the
15 standards that they are proposing now.

16 And we've brought this up in the Study Session.
17 And to address those comments and questions that
18 Commissioner Carey had, the applicant applied for the
19 sign permit on January 6th of 2014, and it was approved
20 on January 28th of 2014. However, the permit was never
21 issued, and a final inspection wasn't performed until
22 July 19th of 2016. The work was done somewhere before
23 2016. I was able to track down a letter from our
24 building department saying, "Hey, we went out and

1 checked, and the sign's installed, but you never came up
2 and picked up your permit or got an inspection." So
3 they kind of followed up in 2016 and were able to get
4 that rectified and sorted out.

5 So currently the movie theater sign
6 requirements in the handbook are based on the sign
7 standards for the Tourism Commercial zoning district.
8 The proposed amendments modified the movie theater signs
9 standards as follows: One Imax wall sign is modified
10 from 3 by 17, 3 foot by 17 foot, to the as-built and
11 permitted 9 by 45 and a half feet. And in addition,
12 it's the Legends vertical sign towers. I was able to
13 track down that sign permit, and those don't show up on
14 a sign permit. I'm assuming they are in relation to
15 another part of the development.

16 So this is a picture of the front of the Galaxy
17 Theater, showing both the Imax sign here as well as the
18 larger one out here that kind of faces towards the
19 freeway a little bit. You can see that these signs are,
20 you know, generally are appropriate as far as scale and
21 size and don't look out of place in this development.
22 Especially with the understanding that essentially the
23 planned development was built on top of our Tourism
24 Commercial zoning district, these are really

1 appropriately and well-stated signs.

2 So there are 10 findings associated with the
3 amendment of a planned developments. In this
4 presentation, the findings have been organized by topic.
5 So they may appear out of sequential order.

6 Findings PDa, PDb and PDg address conformance.
7 That's conformance with state law, the Regional Plan,
8 the Comprehensive Plan, as well as the surrounding land
9 uses and the development as a whole.

10 The proposed changes are fairly minor and have
11 been in place for roughly six years.

12 Staff believes that the proposed changes are
13 consistent with state law and the Regional Plan, the
14 Comprehensive Plan and the surrounding land uses, and we
15 feel that they are an appropriate sign size and layout
16 for the development as a whole.

17 Findings PDC, PDD and PDE address public
18 interest. Due to the very -- did I skip a -- I
19 apologize. Did I skip? I thought I might have skipped
20 a slide. I apologize.

21 Due to the very limited scope of this request,
22 findings PVC and e are not impacted. You know, the
23 fiscal positivity of this development and the reliance
24 on the handbook aren't really changed by these minor

1 changes in the sign standards for this specific use.
2 The proposed changes provide placemaking and yet are not
3 so large as to seem out of scale.

4 And then staff also believes that PDd can also
5 be made as the mutual interest of the residents and
6 owners is being supported through this change.

7 Finding PDf, h and i also address public
8 interest. This amendment brings the existing signs into
9 conformance with the handbook. Additionally, these
10 amendments would apply to any theater in the Legends
11 planned development, as I had stated earlier.

12 The last finding has to do with public notice.
13 The Planning Commission's and City Council meetings
14 function as the public hearings for this item. The
15 request was noticed to all property owners within the
16 Legends planned development handbook and within 750 of
17 the planned development. A total of 107 notices were
18 mailed to property owners on July 22nd of this year.
19 And public notice was also published in the Reno
20 Gazette-Journal on July 23rd.

21 That is the end of my presentation. Staff is
22 recommending approval of this item. I have a motion on
23 the screen if you're interested in it. I'm also
24 available for any questions that you may have.

1 CHAIRMAN READ: Thank you, Ian.

2 Do any of the Commissions have questions? It
3 might take me awhile to see your hand.

4 MR. CRITTENDEN: There, I'll stop my share so
5 it makes it a little easier to see everybody.

6 CHAIRMAN READ: Yeah, I need to see the visual.
7 Commissioner Carey.

8 COMMISSIONER CAREY: Thank you, Madam Chair.

9 Ian, thanks for the additional info on the
10 timeline. I think that that really helps. I was just
11 curious. I don't want to get too much into the weeds on
12 it, but the two vertical Legends signs, you mentioned
13 that those might be located in a different part of the
14 development. Are those the main Legends signs that you
15 see from the freeway with the planes flying around them
16 in the center? Are those not currently allowed in the
17 handbook, and we're looking to add those in now, or is
18 it something else?

19 MR. CRITTENDEN: That may very well be,
20 Commissioner Carey. I was not able to track down where
21 that piece was coming from that Dani was mentioning. It
22 is in addition to the language in the handbook. But
23 while I was able to track down the order of operations
24 and kind of the timeline on the signs associated with

1 the theater, I wasn't able to track those down just yet.
2 So I'm still looking at that. Hopefully, Dani will be
3 back soon and help me pummel that out.

4 COMMISSIONER CAREY: Yeah, I appreciate that.
5 And, I guess, I'm just more curious than anything at
6 this point. I don't think it has anything to -- you
7 know, they've obviously been there for a while. I don't
8 think it's been an issue. It seems appropriate with the
9 Tourist Commercial zoning. If it's the larger, you
10 know, freestanding main Legends signs in the center of
11 the development, I believe that those have been there in
12 place since before 2014. And so that kind of makes this
13 handbook amendment even more important to kind of clean
14 it up, because I don't think those are going anywhere.

15 But thank you, Madam Chair. Thank you, staff.

16 CHAIRMAN READ: Thank you.

17 Any other questions for staff?

18 All right. Do we need to have the applicant
19 come up? Is the applicant even here? I don't think
20 that it was a needling. I just wanted to ask.

21 So if there's no other question, this is a
22 public hearing, so I'd like to open it up for public
23 comment on this item.

24 Marilie, go ahead and provide the public

1 comment information with your slide.

2 MS. SMITH: Okay. The meeting access
3 information is displayed on the screen. The telephone
4 number for call-in participation, for those that may
5 just be listening, although you would already have it,
6 is 1-669-900-6833. The meeting ID number is
7 953 9649 5161. You will press star 9 to request to
8 speak. You may also join by using the link displayed
9 here, also available on the website on the agenda.

10 Staff did not receive any emailed public
11 comment on specific to this item. So we will now move
12 to any callers who wish to speak.

13 MS. MARTINEZ: There are no requests to speak
14 at this time.

15 CHAIRMAN READ: Thank you.

16 Since there's no callers and no -- for public
17 comment, let's close public comment and bring it bang to
18 the Commission for discussion or possible motion.

19 COMMISSIONER BLACO: Madam Chair?

20 CHAIRMAN READ: Go ahead, Commissioner Blaco.

21 COMMISSIONER BLACO: I'm prepared to make a
22 motion.

23 CHAIRMAN READ: All right.

24 COMMISSIONER BLACO: I move to forward to City

1 Council a recommendation of approval of the request to
2 amend the Legends at Sparks Marina planned development
3 handbook, PCN20-0025, based on Findings a through j and
4 the facts supporting those findings as set forth in the
5 staff report.

6 CHAIRMAN READ: Thank you.

7 Do we have a second? Anyone?

8 COMMISSIONER PRITSOS: I'll second.

9 CHAIRMAN READ: All right. Thank you.

10 We have a motion by Commissioner Blaco and a
11 second by Commissioner Pritsos. Any further discussion?

12 Commissioner Carey.

13 COMMISSIONER CAREY: Madam Chair, just a couple
14 comments for the record before the vote.

15 Yeah, I agree with staff's recommendation on
16 this one. I think, from a land use perspective, these
17 proposed signs make a lot of sense from a -- in this
18 Tourist Commercial area. They've obviously been there
19 for a while. And, I think, it's good we clean up this
20 handbook. And, I think, it'll allow us to move forward.
21 And I don't think that these signs pose an issue, or if
22 we construct any other type of similar signs with this
23 handbook amendment, if they would be, or they would pose
24 an issue.

1 So I will be supporting the motion. Thank you.

2 CHAIRMAN READ: Thank you.

3 Any other discussion?

4 All right. Can we please have a roll call
5 vote?

6 MS. SMITH: Commissioner Read?

7 CHAIRMAN READ: Aye.

8 MS. SMITH: Commissioner Petersen?

9 COMMISSIONER PETERSEN: Aye.

10 MS. SMITH: Commissioner Blaco?

11 COMMISSIONER BLACO: Aye.

12 MS. SMITH: Commissioner Carey?

13 COMMISSIONER CAREY: Aye.

14 MS. SMITH: Commissioner Pritsos?

15 COMMISSIONER PRITSOS: Aye.

16 MS. SMITH: Commissioner Rawson is absent.

17 Commissioner VanderWell?

18 COMMISSIONER VANDERWELL: Aye.

19 CHAIRMAN READ: Thank you, everyone. Motion
20 passes. Thank you, Ian.

21 Next, we're going to move on to general
22 business. And first up is PCN20-0021, which is
23 consideration of and possible action on a request to
24 amend a tentative map to add 10 lots, increasing the