



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

To: Mayor and City Council

From: Marilie Smith, Administrative Secretary

Subject: Report of Planning Commission Action
PCN17-0015

Date: May 23, 2017

RE: PCN17-0015 – Consideration of and possible action on a request to rezone a site approximately 4.09 acres in size from PO (Professional Office) to C2 (General Commercial) located at 4950 Vista Boulevard, Sparks, NV.

Senior Planner Ian Crittenden presented this item. Mr. Crittenden began his presentation with a display of the site plan. Mr. Crittenden also shared an existing land use map, existing zoning map and proposed zoning map. The applicant is the Rock Christian Community Church located at 4950 Vista Boulevard. The church was approved through a Special Use Permit in 2003 and constructed in 2006. In 2006, the Special Use Permit was amended to allow for the operation of a preschool. In 2012 the permit was amended to increase the number of students and include a private school and day care facility.

Mr. Crittenden stated that the applicant wants to have the option of adding uses that are permitted in the C2 zoning district that are not available in the PO zoning district. The land use designation for the site is C (Commercial). The permitted zoning districts in the C land use designation are PO, C1 (Neighborhood Commercial), C2, NUD (New Urban District), and PD (Planned Development). The request to rezone the site is in conformance with the Comprehensive Plan.

Mr. Crittenden presented a comparative use table comparing PO and C2 uses. Mr. Crittenden identified that the number of uses and intensities in the C2 zoning district is greater than the PO zoning district. In addition, Mr. Crittenden identified that it is not uncommon to locate C2 properties adjacent to residential properties. This site is adjacent to other PO, C2 and residential properties. The adjacency to the other PO and C2 districts is not typically a concern, however, the site has residential zoning to the east and west. The Sparks Municipal Code has design standards for mitigation and buffering when residential and non-residential are adjacent. The standards do not change from PO to C2.

In addition to the changes in permitted uses, the sign standards also change from PO to C2. Mr. Crittenden shared the changes. The most significant change is that freestanding and electronic message signs are not allowed in PO but they are allowed in C2 zoning. Approval of the rezone request allows the site to enjoy to the same zoning as the parcels to the north and south.

Mr. Crittenden presented the findings associated with the request. Mr. Crittenden stated that staff was able to make the findings and recommended Planning Commission approval to forward the project to the City Council for consideration and approval.

Commissioner Carey asked Mr. Crittenden to share his findings regarding the removal of the Iratcabal East Area plan. Mr. Crittenden provided a brief overview of the timeline and amendments that led up to the removal of the plan in 2012 with the approval of the Master Plan.

Commissioner Carey asked for clarification on Finding Z2 regarding buffering and design standards to mitigate potential impacts of the proposed zone change. Specifically, he asked if a new use were established at the site later, how would staff handle the potential impacts. Mr. Crittenden shared that as long as the new use was permitted, there would not be a 'trigger' to look at potential impacts. However, if any new buildings were added, major facade changes requested, significant parking changes or similar requests, staff would need to look at the potential impacts. Commissioner Carey also asked if drive-thru establishments were permitted in the C2 zoning district. Mr. Crittenden confirmed that drive-thrus are a permitted in the C2 zoning district.

Mr. Thornley asked Mr. Crittenden to explain a permitted use by right versus by condition. Mr. Crittenden shared that the approval process for a use by right does not require approval by the Planning Commission or City Council. Uses permitted by right are approved administratively by staff. A Conditional Use Permit request is a formal process used when the use is not permitted by right and needs the formal review and approval of the Planning Commission, such is the case for this site. A church use is not permitted by right in the PO zoning district but was approved through a formal process requesting a Special Use Permit in 2003.

Mr. Thornley asked Mr. Crittenden to also explain compatibility and adjacent land uses. Mr. Crittenden briefly explained that there are three primary land uses within the City. Intensity and compatibility are reviewed to determine potential impact. Mr. Crittenden provided examples of land uses that typically are not compatible and some that are permitted with mitigation and buffering tools. Mr. Crittenden explained that the Sparks Municipal Code provides opportunities for staff to mitigate impacts between zoning districts.

Commissioner Fewins asked for clarification on the building frontage and permissible sign sizes. Mr. Crittenden identified that there are two building frontages for this project; one off of Iratcabal and one on Vista. Mr. Crittenden quoted the section of the sign code that defines business frontage. Commissioner Fewins asked what is the largest freestanding sign allowed for this site. Mr. Crittenden stated that based on the 698 linear feet of building frontage, the site could have up to a 244 square foot freestanding sign with a maximum height of 30 feet.

Commissioner Petersen invited the applicant to speak on behalf of the project. The applicant declined.

The public comment was opened, no public comment was received and the public comment was closed.

Chairman Petersen asked for further discussion.

Commissioner Carey stated that he had three points to address. Commissioner Carey shared that he agreed with Finding Z1 in that the request is consistent with the City of Sparks' Comprehensive Plan. However, Commissioner Carey stated that he disagreed with Finding Z2. He stated he did not think the proposed zoning is consistent with the surrounding uses and believes there are a great deal of unintended consequences with the request. He encouraged staff to look at similar requests in the future and consider C1 or PO zoning as a more appropriate zoning. Lastly, Commissioner Carey stated he dislikes the removal of any PO zoning district within the City as he believes PO zoning promotes more employment opportunities.

MOTION: Commissioner Fewins moved to forward a recommendation of approval to the City Council of the request associated with PCN17-0015 to rezone a parcel approximately 4.09 acres in size from PO (Professional Office) to C2 (General Commercial) based on the Findings Z1 through Z3, and the facts supporting these Findings as set forth in the staff report.

SECOND: Commissioner VanderWell.

AYES: Commissioners Petersen, VanderWell, Carey, Fewins, and Gaba.

NAYS: None.

ABSTAINERS: None.

ABSENT: Commissioners Brock and Sperber.

Passed.

When Recorded Return to:
Sparks City Clerk
PO Box 857
Sparks, NV 89432

BILL NO. _____

INTRODUCED BY CITY COUNCIL

ORDINANCE NO. _____

PCN17-0015 - THE ROCK CHRISTIAN
COMMUNITY CHURCH

A GENERAL ORDINANCE REZONING REAL PROPERTY OWNED BY THE ROCK CHRISTIAN COMMUNITY CHURCH, FROM PO (PROFESSIONAL OFFICE) TO C2 (GENERAL COMMERCIAL) LOCATED AT 4950 VISTA BOULEVARD, SPARKS, NV. ; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

THE CITY COUNCIL OF THE CITY OF SPARKS DOES ORDAIN:

SECTION 1: The property described in Exhibit "A" and depicted in Exhibit "B", which is attached hereto and incorporated herein by reference, situated in the City of Sparks, County of Washoe, State of Nevada, is hereby changed from SF40(Residential single Family) to SF20 (Residential Single Family) classification.

SECTION 2: The zoning map of the City of Sparks is hereby amended in accordance with the rezoning herein.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: The City Clerk is instructed and authorized to publish the title to this ordinance as provided by law and to record the plan certified herein as provided by law.

SECTION 5: This ordinance shall become effective upon

passage, approval, publication.

SECTION 6: The provisions of this ordinance shall be liberally construed to effectively carry out its purposes in the interest of the public health, safety, welfare and convenience.

SECTION 7: If any subsection, phrase, sentence or portion of this section is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

SECTION 8: The City Council finds that this ordinance is not likely to impose a direct and significant economic burden upon a business or directly restrict the formation, operation or expansion of a business, or is otherwise exempt from Nevada Revised Statutes Chapter 237.

PASSED AND ADOPTED this _____ day of _____, 2017, by the following vote of the City Council:

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED this _____ day of _____, 2017 by:

Geno Martini, Mayor

ATTEST:

APPROVED AS TO FORM & LEGALITY:

**Teresa Gardner
City Clerk**

**Chester H. Adams
City Attorney**

**EXHIBIT A
LAND DESCRIPTION**

All that certain real property situate within a portion of the Southeast One-Quarter (SE 1/4) of Section Twenty-Two (22), Township Twenty (20) North, Range Twenty (20) East, Mount Diablo Meridian, City of Sparks, County of Washoe, State of Nevada, being Adjusted Parcel 4A as described in Deed Document No. 3213407, recorded May 13, 2005, Official Records of Washoe County, Nevada, and being more particularly described as follows:

BEGINNING at the northwest corner of Adjusted Parcel 4A as shown on Record of Survey Map No. 4361, recorded March 31, 2004, as File No. 3014987, Official Records of Washoe County, Nevada, said point also being coincident with the easterly right of way of Vista Boulevard as described in the Final Order of Condemnation, recorded September 7, 2001, as File No. 2594418, Official Records of Washoe County, Nevada;

THENCE southwesterly coincident with said easterly right of way, South 26°01'04" West, 202.42 feet to the beginning of a curve to the left, concave southeasterly, and having a 940.00 foot radius;

THENCE coincident with said easterly right of way, 58.07 feet (58.09 feet per said Record of Survey) along the arc of said curve, through a central angle of 03°32'23" (03°32'26" per said Record of Survey and Order of Condemnation) to a point coincident with the northerly line of Parcel 2 as shown on Parcel Map No. 3383, recorded June 30, 1998, as File No. 2225918, Official Records of Washoe County, Nevada;

THENCE southeasterly departing said easterly right of way and coincident with the northerly line of said Parcel 2, South 67°49'30 East, 274.66 feet (274.67 feet per said Record of Survey) to the northeast corner of said Parcel 2;

THENCE southwesterly coincident with said easterly line of Parcel 2, South 22°10'30 West, 224.00 feet to a point coincident with the northerly right of way of Iratcabal Drive, dedicated to the City of Sparks per said Parcel Map No. 3383;

THENCE southeasterly coincident with said northerly right of way, South 67°49'30" East, 239.47 feet to the beginning of a curve to the left, concave northerly, and having a 172.50 foot radius;

THENCE coincident with said northerly right of way, 201.71 feet along the arc of said curve, through a central angle of 66°59'49" to the westerly boundary of Tanglewood Subdivision as shown on Tract Map No. 4124, recorded October 17, 2002, as File No. 2749963, Official Records of Washoe County, Nevada;

THENCE northerly departing said northerly right of way, and coincident with said westerly boundary the following seven (7) courses and distances:

- 1) North 44°54'07" West, 99.95 feet;
- 2) North 24°19'24" East, 51.77 feet;
- 3) North 15°49'51" West, 47.91 feet;
- 4) North 35°07'30" West, 119.52 feet;
- 5) North 31°06'14" West, 78.44 feet;
- 6) North 17°17'34" West, 83.41 feet;
- 7) North 02°37'34" West, 83.80 feet to the northeast corner of aforesaid Adjusted Parcel 4A;

THENCE northwesterly departing said westerly boundary and coincident with the northerly line of said Adjusted Parcel 4A, North 69°31'43" West, 48.67 feet;

THENCE coincident with said northerly line, North 67°49'30" West, 237.36 feet to the **POINT OF BEGINNING** and end of this description.

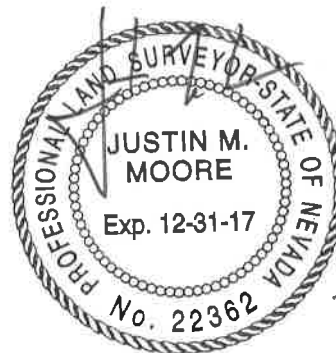
Containing 4.09 acres of land, more or less.

SEE EXHIBIT A-1 attached hereto and made a part hereof.

BASIS OF BEARINGS for this description is based on the Nevada State Plane Coordinate System of 1983, West Zone, NAD 83/94.

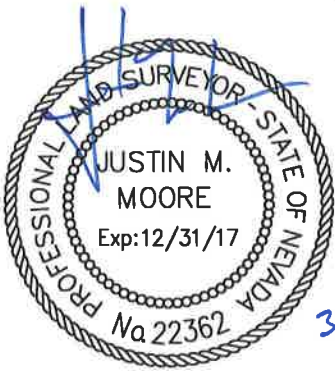
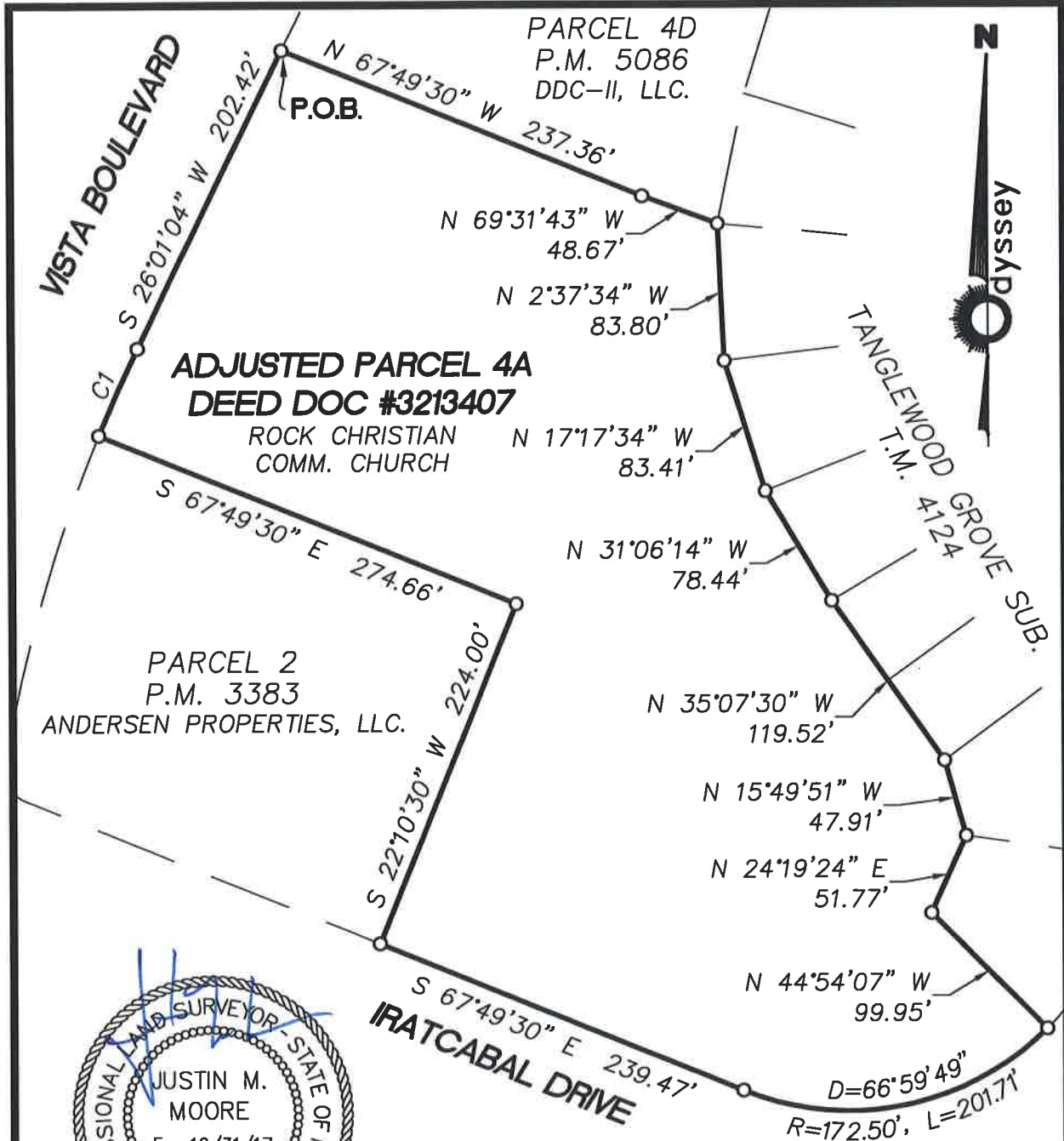
Prepared By:

ODYSSEY ENGINEERING, INC.
Justin M. Moore, P.L.S.
Nevada Certificate No. 22362
895 Roberta Lane, Suite 104,
Sparks, NV 89431



3/28/17

Exhibit B



3/28/17

SCALE: 1"=100'

CURVE TABLE			
CURVE #	DELTA	RADIUS	LENGTH
C1	3°32'23"	940.00'	58.07'



EXHIBIT "A-1"
LOCATED WITHIN THE SOUTHEAST 1/4 OF SECTION 22, T.20N., R.20E., M.D.M.
SPARKS WASHOE COUNTY NEVADA

THE ROCK CHRISTIAN COMMUNITY CHURCH

Business Entity Information			
Status:	Active	File Date:	12/17/2002
Type:	Domestic Non-Profit Corporation	Entity Number:	C30891-2002
Qualifying State:	NV	List of Officers Due:	12/31/2017
Managed By:		Expiration Date:	
Foreign Name:		On Admin Hold:	No
NV Business ID:	NV20021501956	Business License Exp:	

Additional Information	
	Central Index Key

Charitable Solicitation Registration Statement Information
Click here to view the Charitable Solicitation Registration Statement details associated with this company. (/businessSearch/charitable?corpId=PsH6XyralUmNCD72O2Y1Ow==)

Registered Agent Information			
Name:	RHONDA LENON	Address 1:	5700 CATHEDRAL PEAK
Address 2:		City:	SPARKS
State:	NV	Zip Code:	89436
Phone:		Fax:	
Mailing Address 1:		Mailing Address 2:	
Mailing City:		Mailing State:	
Mailing Zip Code:			
Agent Type:	Noncommercial Registered Agent		
View all business entities under this registered agent ()			

Officers		<input type="checkbox"/> Include Inactive Officers	
President - ARTHUR L LENON			
Address 1:	5700 CATHEDRAL PEAK	Address 2:	
City:	SPARKS	State:	NV
Zip Code:	89436	Country:	USA
Status:	Active	Email:	
Director - ARTHUR L LENON			
Address 1:	5700 CATHEDRAL PEAK	Address 2:	
City:	SPARKS	State:	NV
Zip Code:	89436	Country:	USA
Status:	Active	Email:	
Treasurer - ANDREW S MCMINN			
Address 1:	1583 CLOUD PEAK DR	Address 2:	
City:	SPARKS	State:	NV
Zip Code:	89436	Country:	USA
Status:	Active	Email:	
Secretary - DONIELLE D MCMINN			
Address 1:	1583 CLOUD PEAK DR	Address 2:	
City:	SPARKS	State:	NV

Zip Code: 89438	Status: Active	Email:
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Actions\Amendments
Click here to view 22 actions\amendments associated with this company ()

Supported Internet Browser versions: Apple iOS 9, Internet Explorer 11, FireFox 45, Google Chrome 49 (available in 2017)

Security error messages: Customers using older browsers may receive error messages if not using TLS 1.1 or TLS 1.2.

Disclaimer



Exhibit 2

Pg 7



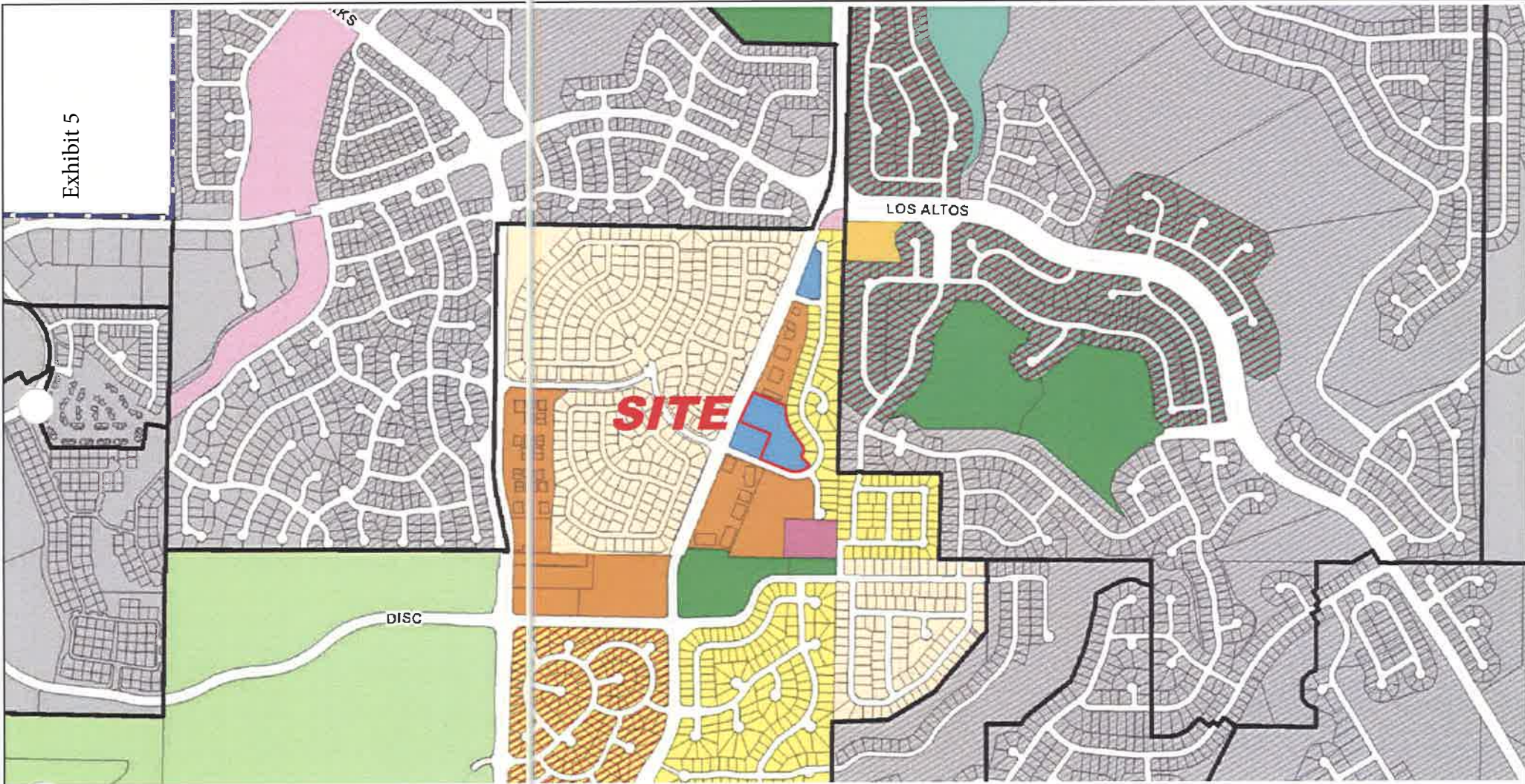


LAND USE DESIGNATION:

	C		LDR
	CF		OS

**ROCK CHURCH REZONING APPLICATION
MARCH 22, 2017
EXISTING LAND USE DISPLAY**

Exhibit 5

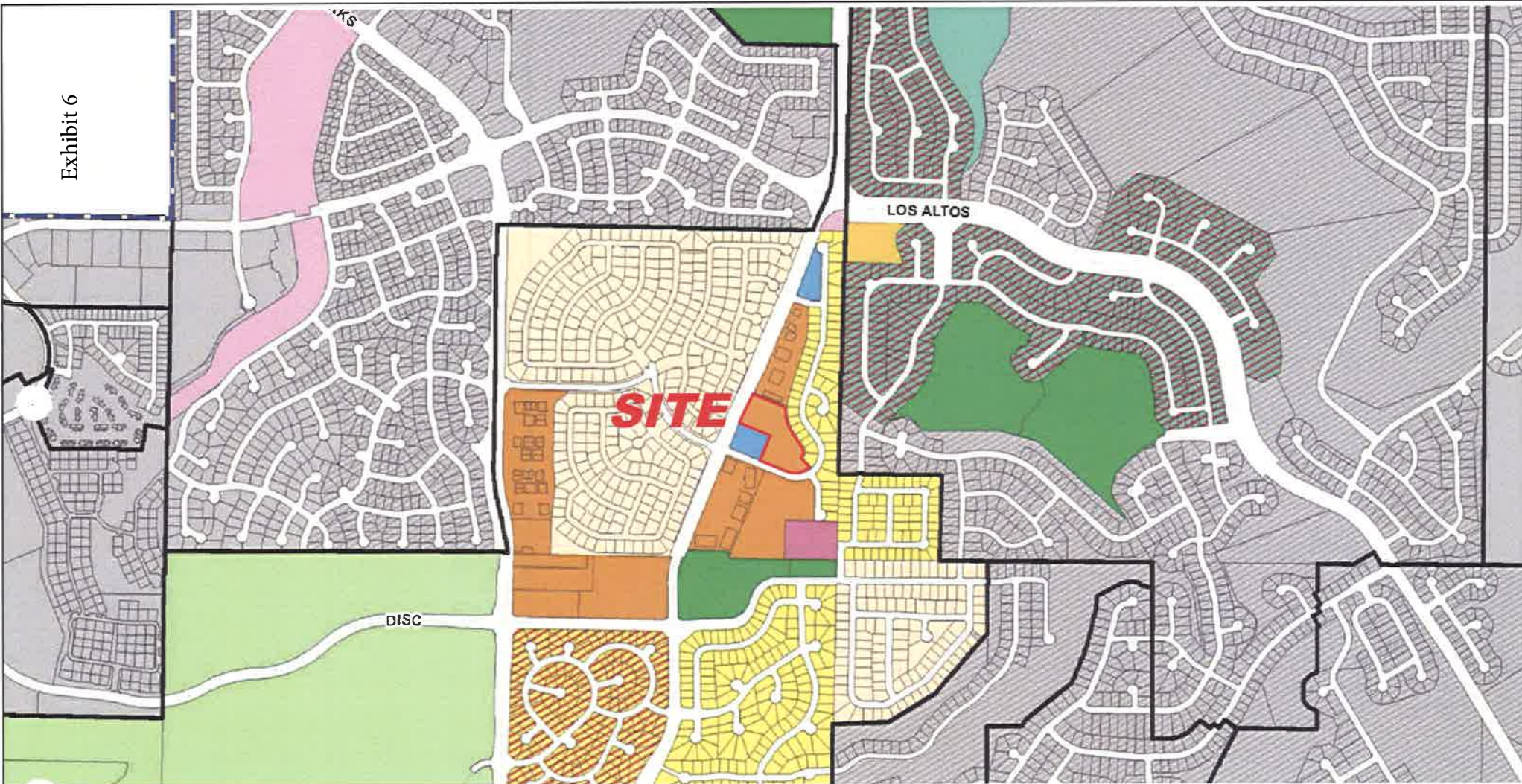


ZONING DESIGNATION:


















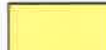
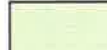
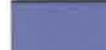
A-40	I	PD	SF-15/PUD	SF-6/PUD	SF-9/PUD	MF-3/PUD	MF-5/PUD
A-5	PE	SF-12	SF-20	SF-7	MF-2	MF-4	TC
C1	PO	SF-12/PUD	SF-40	SF-7/PUD	MF-2/PUD	MF-4/PUD	
C2	NUD	SF-15	SF-6	SF-8	MF-3	MF-5	

**ROCK CHURCH REZONING APPLICATION ~ MARCH 22, 2017
EXISTING ZONING DISPLAY**

Exhibit 6



ZONING DESIGNATION:

 A-40	 I	 PD	 SF-15/PLD	 SF-6/PLD	 SF-9/PLD	 MF-3/PLD	 MF-6/PLD
 A-5	 PE	 SF-12	 SF-20	 SF-7	 MF-2	 MF-4	 TC
 C1	 PO	 SF-12/PLD	 SF-40	 SF-7/PLD	 MF-2/PLD	 MF-4/PLD	
 C2	 NUD	 SF-15	 SF-6	 SF-9	 MF-3	 MF-5	

ROCK CHURCH REZONING APPLICATION ~ MARCH 22, 2017
PROPOSED ZONING DISPLAY



REGIONAL TRANSPORTATION COMMISSION

Metropolitan Planning • Public Transportation & Operations • Engineering & Construction

Metropolitan Planning Organization of Washoe County, Nevada

April 4, 2017

FR: Chrono/PL 183-17

Ms. Karen Melby
Planning and Community Services Department
City of Sparks
431 Prater Way
Sparks, NV 89431

**RE: PCN17-0013 / AR17-0010 (Green Planet 21 Outdoor Storage)
PCN17-0015 / RZ170002 (Rock Church Rezone)
PCN17-0016 / AR17-0012 (Raising Cane)
PCN17-0014 / AR17-0011 (Sprouts Farmers Market)**

Dear Ms. Melby,

We have reviewed the above applications and have no comments at this time.

Thank you for the opportunity to comment on these applications. Please feel free to contact me directly at 775-332-0174 or email rkapuler@rtcwashoe.com if you have any questions or comments.

Sincerely,

A handwritten signature in blue ink that reads "Rebecca Kapuler". The signature is fluid and cursive, written over a light blue horizontal line.

Rebecca Kapuler
Planner

RK/jm

Copies: Ian Crittenden, City of Sparks Planning & Community Services
Jon Ericson, City of Sparks Public Works
Jae Pullen, Nevada Department of Transportation, District II
Daniel Doenges, Regional Transportation Commission
Tina Wu, Regional Transportation Commission
Julie Masterpool, Regional Transportation Commission
David Jickling, Regional Transportation Commission

/Sparks no comment 04042017

Notice Mailed 4/20/17

**** OFFICIAL NOTICE OF PUBLIC HEARING ****

From: SPARKS PLANNING COMMISSION

Case: PCN17-0015

Location: City Hall, City Council Chambers
745 4th St., Sparks, NV

Date: Thursday, May 4, 2017

Time: 6:00 PM

PCN17-0015 – Consideration of and possible action on a request to rezone a site approximately 4.09 acres in size from PO (Professional Office) to C2 (General Commercial) located at 4950 Vista Boulevard, Sparks, NV.

You are invited to present written or verbal testimony relative to this application. Written comments must be received by May 2, 2017, two days prior to the public hearing. For further information, please call Ian Crittenden at 775-353-2338 or via email at icrittenden@cityofsparks.us.

Project Site Map:



Crittenden, Ian

From: Chuck n Robin <chuckl62@charter.net>
Sent: Wednesday, May 03, 2017 6:11 PM
To: Crittenden, Ian
Subject: PCN17-0015

What is being considered for this property for General Commercial?
Thank You, Charles LaBrenz

Crittenden, Ian

From: Angel Handlin <Angel.Handlin@dsireno.us>
Sent: Wednesday, April 26, 2017 9:44 AM
To: Crittenden, Ian
Subject: Sparks Planning Commission

Ian,

I received the notice for a meeting regarding the request to Re-Zone 4.09 Acres. I have no idea what this would mean to me to even submit questions in writing. Is the area going to be repurposed for a different use? Can you please explain?

Angel Handlin
Administrative Assistant
Diversified Systems International
775-823-7317 Office
775-830-7145 Cell
Angel.handlin@dsireno.us



Crittenden, Ian

From: Bill <wlgcpa@sbcglobal.net>
Sent: Sunday, April 23, 2017 5:23 PM
To: Crittenden, Ian
Subject: PCN17-0015

I received notice of public hearing on May 4th regarding 4950 Vista Blvd.

There's already a 2 story building that looks right into my back yard.

Do you know what the owners intend to build?

Will they stick to single story buildings?

Thanks for the info,

William L. Gray

4950 Chevalier Drive