



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

To: Mayor and City Council
From: Janet Stout, Administrative Secretary
Subject: Report of Planning Commission Action
PCN13001
Date: May 24, 2013

RE: **PCN13001-SPARKS MARINA APARTMENTS, LLC**, Consideration and possible approval of a request for Tentative and Final approval of an amendment to the Marina Village Planned Development Handbook to allow for greater flexibility in the types and location of uses specifically related to the mixed use buildings located between the Sparks Marina Lake and Harbour Cove Drive and other matters and property related thereto on a site generally located south of E. Lincoln Way, East of the Sparks Marina Park, and west of the Legends at Sparks Marina Planned Development, Sparks, NV.

At the regularly scheduled Planning Commission meeting held on May 2, 2013, Senior Planner Karen Melby introduced this item and reviewed the information in the staff report which included the following Planned Development Findings:

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 amendment does not change the uses but allows greater flexibility in how Marina Village Planned Development is built out.

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 amendment does not change the nature of the planned development and will still be a mixed use project.

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 amendment is to continue developing Marina Village as a mixed use project just with some ability to adjust the number and size of residential units and the square footage of the commercial/office uses.

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.

This amendment does not affect the potential for housing in the planned development and housing remains a major component in the build out of Marina Village. The proposed amendment would allow for more and potentially more affordable housing units.

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 amendment would provide the developer the opportunity to change the number and size of the housing units as well as greater flexibility of the ground non-residential uses. The proposed changes are intended to restart development of the Marina Villas project, which has been stalled since the start of the 2007 recession. Given the substantial investment to date in the project; its prominent location on the Marina waterfront and the blighting influence of the unused four story parking structure; it is important to the community to facilitate the completion of this project without undue delay.

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 potentially allows an increase in the unit count, a positive for this location within the TOD Corridor. The amendment does not change the types of uses allowed.

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.

The amendment does not significantly change the size or mass of the buildings. The maximum height is four stories which maintains the maximum height of 70 feet as in the approved handbook.

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. The handbook does not propose any changes to these standards.

PD9 The ratio of residential to nonresidential use in the planned development is:

The proposed amendment does not change the ratio of residential to nonresidential use. The nonresidential uses, excluding the parking garage, will be approximately 15% of the project.

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 amended handbook would maintain the same landscape standards that are consistent with code. The planned development is in this location to take advantage of one of the prime open space uses within the City of Sparks, the Sparks Marina Lake and park.

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

The Marina Village Development Standards Handbook does address the maintenance and conservation of the common open space through an association.

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 proposed landscape will provide sufficient landscaping to meet the intent of the common space for residential and 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 residential and 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 south of Lincoln Way, which is an existing minor collector. As part of this handbook, there are no proposed changes to the 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 development.

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

Marina Village has been developing as a mix of residential, commercial and office land uses. There are no changes proposed to the access to the surrounding neighborhood and Marina Lake Park.

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 Marina Village started in 2000. The approved tentative handbook was to develop a mix of land uses. The tentative handbook was approved originally with mixed use residential land use and this amendment does not change original concepts for development of the property.

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 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 amended to Marina Village planned Development Handbook has development standards that address flexibility and efficient development of the Marina Area. This request is to provide the developer greater flexibility to complete the project to serve the residents and visitors to the Sparks Marina.

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	Mini Storage / TOD (Transit Oriented Development)
South	The Legends, Sparks Marina Lake Park and I-80 / NUD – The Legends and R1-40
East	Vacant , The Legends / NUD (New Urban District)
West	Sparks Marina Lake Park / R1-40

Marina Village is located in an area of a mix of uses with a concentration of commercial land uses. The proposed mixed-use development is consistent with the development of the area.

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 Marina Village Planned Development 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 retaining land uses that were originally approved in the tentative handbook for Marina Village.

The public hearing was opened.

David Dahl, the applicant, introduced himself. He explained this amendment would allow him to build apartments that wrap around the empty parking garage he built some time ago as opposed to the condominiums originally drafted.

Commissioner Lean stated Paul Davis of Sparks, Nevada sent in a letter stating he is in favor of this project.

The public hearing was closed.

MOTION: Planning Commissioner Lean moved to forward a recommendation for Tentative and Final approval of a request for an amendment to the Marina Village Planned Development Handbook associated with PCN13001, adopting Findings PD1 through PD21 and the facts supporting those Findings as set forth in the staff report. Because the request includes final approval, the Planning Commission does not recommend that the City Council require a bond at this time as stated in NRS 278A.490.

SECOND: Planning Commissioner Sanders.

AYES: Planning Commissioner Voelz, Lean, Sperber, Nowicki, Sanders.

NAYS: None.

ABSTAINERS: None.

ABSENT: Fewins and Cammarota.

Passed.