



**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: March 31, 2020

RE: **PCN20-0006** - Consideration of and possible action on a request to amend a final planned development handbook (Legends at Sparks Marina) by amending standards for buffer walls, removing parking standards for baseball stadiums, and reducing parking standards for hotels and motor coach dealers' service areas, 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 March 5, 2020 Planning Commission meeting transcript.

1 of those meeting minutes look good to me. I'll make a
2 motion to approve as submitted.

3 CHAIRMAN READ: Thank you, Commissioner Carey.

4 COMMISSIONER BLACO: I'll second that one as
5 well.

6 CHAIRMAN READ: Thank you, Commissioner Blaco.

7 All those in favor, say "aye."

8 (Commission members said "aye.")

9 CHAIRMAN READ: Opposed?

10 Thank you.

11 Next is the review and possible approval of the
12 February 6th, 2020 Planning Commission meeting.

13 Commissioner Pritsos.

14 COMMISSIONER PRITSOS: I move to approve the
15 minutes.

16 CHAIRMAN READ: Thank you.

17 Do we have a second?

18 COMMISSIONER CAREY: I'll make the second.

19 CHAIRMAN READ: Thank you, Commissioner Carey.

20 All those in favor?

21 (Commission members said "aye.")

22 CHAIRMAN READ: Opposed?

23 All right. Next, we are moving on to public
24 hearing items. First, we have PCN20-0006, consideration

1 of and possible action on a request to amend a final
2 planned development handbook by amending standards for
3 buffer walls, removing parking standards for baseball
4 stadiums, and reducing parking standards for hotels and
5 motor coach dealers' service areas, for a site generally
6 located north of I-80 south of Prater Way and west of
7 Sparks Boulevard, at Legends. Dani.

8 MS. WRAY: Good evening, Chair Read, members of
9 the Planning Commission. I'm Dani Wray, Planner.

10 As stated, we're here to look at an amendment
11 to the Legends planned development handbook. That area
12 is located here, if you look on your screen. And
13 outlined in red is the Legends handbook planned
14 development area covered by the Legends handbook. The
15 amendments that we're going to be looking at this
16 evening apply to the entire planned development.

17 We're looking at modifying some parking
18 standards to 4.25 spaces per 1,000 square feet of gross
19 floor areas for most uses in the development. As you
20 stated, we're removing parking standards for baseball
21 stadiums since baseball stadiums are no longer being
22 contemplated for this site. We're also excluding hotels
23 and automotive service areas for that 4.25 per 1,000.

24 The luxury motor coach dealer, or RV, and

1 automotive service businesses shall require 4.0 spaces
2 per 1,000 square feet of office and sales area, and one
3 space per 1,000 square feet of service area.

4 And hotels will change their parking
5 requirement from the 4.25 per 1,000 to one space per
6 room and one space per 800 square feet of restaurant or
7 public meeting area, which is the same as the Sparks
8 Municipal Code.

9 Developer will provide a cumulative parking
10 analysis to staff upon request. That is a modification
11 from the current requirement, which requires the
12 developer to submit a cumulative parking analysis with
13 every single tenant improvement and every single
14 business license, which is quite onerous to the
15 developer and his staff as well in terms of time and
16 resources and evaluating that parking analysis, which is
17 really unnecessary. So they're proposing to modify that
18 so that it's only upon request from the staff that we
19 will receive that.

20 And modifications to buffering and wall
21 standards. The previous standard was buffer walls shall
22 be constructed of masonry where required. They're
23 proposing to add block or precast panels. Those precast
24 panels are made from concrete and are the same height,

1 same dimensions. They just offer -- my phone keeps
2 calling, I apologize -- offer an alternative choice.

3 And they're also removing Exhibit A-9.2, and
4 keeping A-9.1, which shows the two different types of
5 panels or wall types.

6 So the findings for this, if you can bear with
7 me, there are a few findings for this.

8 We're looking for conformance with the
9 Comprehensive Plan, the Truckee Meadows Regional Plan,
10 Nevada and federal law, and consistency with surrounding
11 land uses and consistency with the entire development.

12 So the requested modifications in the language
13 regarding the buffer walls clarify what materials may be
14 used in the design and construction of those walls. The
15 walls provide a buffer between the commercial uses and
16 more sensitive residential uses, supporting Goal CC1,
17 and provide place-making design element that is
18 particular to the Legends development and supporting
19 Goal MG1.

20 The modified parking standards bring the
21 handbook into conformance with the Sparks Municipal Code
22 standards for some uses while revising parking standards
23 to reflect the elimination of the baseball stadium use
24 and supporting goals MG6 and MG3.

1 The proposed amendments to the handbook do not
2 change the types of land uses permitted within the
3 planned development, only certain development standards
4 related to parking and buffer walls, and only in a
5 manner that does not adversely affect surrounding uses.

6 Because there's no changes to this amendment,
7 in this amendment to the development of the site, and
8 only parking ratios and materials and design elements of
9 buffer walls, the efficient development and preservation
10 of the entire planned development are not affected.

11 Maintaining the public interest. Fiscal
12 analysis was not required for this amendment because
13 there are no proposed changes to densities or types of
14 land uses.

15 As discussed in the analysis section above, in
16 the staff report, the clarification of allowed materials
17 and design types for buffer walls does not affect
18 adversely the adjacent residential uses. The walls
19 serve as the buffer between uses and, again,
20 place-making element identifying Legends development and
21 delineating gathering spaces within the development,
22 furthering the mutual interest of residents and the
23 property owners themselves within the development.

24 There are no proposed changes to those land

1 uses permitted. Parking ratios for the hotels is
2 reduced. Excuse me. It would now conform to Sparks
3 Municipal Code. And the overall parking count is
4 reduced by 95 spaces for the entire site. But that does
5 take into account that there's no baseball stadium
6 anymore. So, practically speaking, it improves parking
7 availability for visitors to the planned development.

8 And, again, will not result in any changes that
9 adversely affect the public interest, as I just
10 explained.

11 Does not adversely affect the enjoyment of land
12 abutting upon or across the street from the planned
13 development of the public interest, because there are no
14 land use changes. It's simply the walls and the parking
15 standards.

16 And it's not granted solely to confer a private
17 benefit upon any person, because these do apply to the
18 entire planned development as a whole.

19 And the public notice was given, and to all
20 property owners within the Legends planned development
21 and within 750 feet of the Legends planned development
22 boundary. A total of 104 notices were mailed to
23 property owners on February 19th, 2020. And public
24 notice was also published in the Reno Gazette-Journal on

1 February 21st.

2 That concludes my report. I'm here, and the
3 applicant is here as well, to answer any questions.

4 We did have two public comments written, one
5 email, one written, that I passed along to you. And he
6 is here to address those issues if you'd like.

7 CHAIRMAN READ: All right. Thank you.

8 Do the Commissioners have any questions for
9 staff?

10 Commissioner Carey.

11 COMMISSIONER CAREY: Yeah, just a minor
12 technical question. I'm just curious, in terms of
13 reducing the requirement of requiring a parking analysis
14 for every tenant improvement.

15 MS. WRAY: M-hm (affirmative).

16 COMMISSIONER CAREY: Which circumstances would
17 staff envision in the future which where you would
18 require a cumulative parking analysis?

19 MS. WRAY: We had contemplated once yearly, you
20 know, as sort of a regular update. That's not written
21 in stone. It's just something that as we get -- you
22 know, it fills up, we get more development on this site,
23 we may need to look at that, especially if we have a
24 larger development come in, more hotels, more

1 multi-family, you know, larger -- well, there's not that
2 many pads left available.

3 COMMISSIONER CAREY: Yeah.

4 MS. WRAY: But sometimes the uses of -- for
5 example, in the old Best Buy building, we had some
6 inquiries of possibly a gym going in there. And that
7 has a significantly higher parking requirement,
8 practically speaking. It's still going to be parked at
9 4.25 per 1,000. But it's just something that we want to
10 look at and keep tabs on.

11 COMMISSIONER CAREY: Thank you.

12 CHAIRMAN READ: Armando.

13 MR. ORNELAS: Thank you, Chairman. Armando
14 Ornelas, Assistant Community Services Director.

15 Just to elaborate on Ms. Wray's point, there's
16 really, you know, a couple vacant areas that are of any
17 size. One is, of course, where the proposed casino is
18 going. The other is a portion of the site adjacent to
19 the RV dealership that was, again, formerly intended to
20 be a Walmart site. You know, if there was a use that
21 was coming in there that really was different from what
22 is contemplated in terms of by the planned development
23 with regard to, you know, more traditional retail, then,
24 yes, Sparks staff would be asking for a parking

1 analysis.

2 CHAIRMAN READ: Okay. Any other?

3 Commissioner Blaco.

4 COMMISSIONER BLACO: Just to follow up, you do
5 reserve that right to ask anybody as they submit their
6 application?

7 MS. WRAY: Yes.

8 CHAIRMAN READ: Any other questions?

9 All right. Would the applicant like to come up
10 and add any additional information, comments?

11 MR. ORNELAS: It's on.

12 MR. FRANK BIDART: All right. Thank you.

13 Chairman, Commissioners, Frank Bidart with
14 Odyssey Engineering.

15 The other day at the workshop we were handed a
16 couple of these notices that the neighbors had some
17 concerns with. And with this public hearing and they --
18 we just wanted to address their comments right now.

19 I reached out to RED Development. Working with
20 them, we contacted the RV dealership. And one of the
21 neighbors, located right here at the end of the canal,
22 was really having a problem, and I don't blame them,
23 with power-washing occurring in the storage area back
24 here behind the RV dealership.

1 We contacted the RV dealership, because we were
2 kind of wondering why, since they have a wash bay inside
3 the building at the end of the building, why they were
4 doing this in the parking lot. What we found out was,
5 is they were having a real problem with the drain inside
6 the building. They're well-aware of it. Because of the
7 problem, they've gone out and purchased a power washer
8 and are washing now in the parking lot instead of
9 actually working within the wash bay within the
10 building.

11 What we've been told by them is that they're
12 hoping by the end of the month -- they actually have a
13 contractor lined out to go in there and fix that floor
14 and start utilizing that interior wash bay at that time.
15 They have also told us that they are going to
16 discontinue doing exterior washing within the storage
17 are and bothering the neighbors out there.

18 That was the first, that was the first notice
19 we got. The second one was from this neighbor right
20 here. And their concern was, you know, seeing all of
21 the RVs over the top of the wall from their home.

22 It's kind of a bad condition right now. And we
23 understand that. This is going to be a possible future
24 parking lot or some development in the future. But

1 right now, we're mostly anticipating this is going to be
2 a parking lot. With that, there's going to be a slope
3 developed that'll actually raise this grade here at this
4 end. And we'll have that ability at that time to
5 actually do some tree planting at the top of that slope
6 that will help, help this neighbor out at that time. I
7 don't know when this is going to occur, but we do plan
8 it in the future.

9 But we're hoping that will address those
10 concerns to those neighbors concerning those issues.

11 If you have any questions.

12 CHAIRMAN READ: Is there any way to follow up
13 on the wash bay issue? You said that it would be a
14 month.

15 MR. FRANK BIDART: What we've been told is they
16 want to start like the third week in March. And by
17 Planning Commission, hopefully, that will be completely
18 done. This has to go to Planning Commission. Or I'm
19 sorry. City Council.

20 CHAIRMAN READ: City Council.

21 MR. FRANK BIDART: Yes.

22 CHAIRMAN READ: Thank you.

23 Any questions from the Commissioners for the
24 applicant? Anything further?

1 Okay. With that, let's open it up for public
2 comment on this item.

3 Is there any public comment? Anybody wishes
4 to...

5 Come on down. Just make sure you fill out a
6 comment card.

7 Do we have any cards?

8 MS. SMITH: I do not.

9 MR. ORNELAS: You can do that afterwards.

10 CHAIRMAN READ: Okay. You can do it after.

11 MS. BARBARA MILCHAK: I'm --

12 CHAIRMAN READ: Can you state your name?

13 MS. BARBARA MILCHAK: Oh, I'm Barbara Milchak.

14 I live on Bayshore Drive at the Marina.

15 I have faith that they will take care of the
16 wash thing. I'm the seventh house in, and I could
17 Washoe watch them wash. And the noise was prohibitive.

18 But I'm concerned about the wall. We see all
19 of those mobile homes, or trailer things, whatever they
20 are. And I'd like to see that wall be higher. It would
21 help with the noise. I'm concerned about this, what
22 looks to me like a plastic wall, as opposed to the stone
23 wall that we now have that is apparently going to
24 disappear.

1 I just want to make sure that our neighborhood
2 is respected and that our homes that -- we love that
3 area. It's just wonderful. But I'm afraid that without
4 a wall there that will really block that view and -- and
5 the noise, the movement in and out, that I'd just like
6 some reassurance for that, please. Okay?

7 CHAIRMAN READ: All right. Thank you.

8 Anybody else wishes to -- don't forget to fill
9 out a card.

10 MS. BARBARA MILCHAK: Yeah, I'm going to go get
11 it.

12 CHAIRMAN READ: Okay. Thank you.

13 Anybody else?

14 All right. With that -- oh, is there another
15 one? Oh. Come on down. Or up.

16 MR. WILLIAM ALIAMS: I'm William Aliams. I
17 live at 1195. I'm closest to the RV place. And I don't
18 know how they got away with putting a vinyl wall there,
19 that is short, that you could see the top of the RVs.
20 And it sounds like they're going to address this
21 pressure washer problem, hopefully. How did they get
22 away with putting a vinyl wall in there, when it wasn't
23 zoned for it, when everybody else was required to put in
24 something more quality? How can a neighborhood have a

1 say in such a matter? I'm asking questions.

2 CHAIRMAN READ: Yeah, we can't address your
3 questions. But we will, we will bring staff or the
4 applicant back up and address those for you. Okay?

5 MR. WILLIAM ALIAMS: And if I could have a way
6 about it, the wall that is for the hotel should match
7 all the other businesses. Right now, we got three
8 different walls. So.

9 CHAIRMAN READ: Thank you.

10 Any other people wish to comment?

11 All right. With that, we will close public
12 comment and bring it back to the Commission.

13 Do any Commissioners have questions?

14 COMMISSIONER CAREY: Yeah, maybe if staff could
15 address the public comment about the wall that was
16 constructed.

17 CHAIRMAN READ: The vinyl wall?

18 COMMISSIONER CAREY: The vinyl wall, yeah.

19 MS. WRAY: My understanding is that vinyl wall
20 is an interior wall. And we don't regulate interior
21 walls. It's the border wall is what's regulated in the
22 handbook. And that's made out of masonry or the
23 concrete.

24 MR. CRITTENDEN: Yeah. Ian Crittenden,

1 Development Services Manager, for the record.

2 I was heavily involved when all of this kind of
3 started down this process. And the exterior wall is the
4 buffer wall that's required in the planned development
5 handbook. There's an exterior wall that is required.

6 That vinyl wall is an additional fence that the
7 applicant, or the property owner or developer put up as
8 part of their interior site design. And so it's not
9 held to the requirement to be that buffer wall that's in
10 the handbook.

11 And so the amendments that are happening to --
12 that are being requested to the handbook will address
13 what that exterior buffer wall can be made of, but they
14 aren't addressing interior fencing and what they can be
15 made of. The code does not require them to have any
16 specific material for those interior walls.

17 And so that's how that wall or that fence, that
18 vinyl fencing went in, is because they're allowed to use
19 other materials inside of the area, but they are just
20 required to have a masonry wall as their buffer wall. I
21 hope that addressed that question.

22 COMMISSIONER CAREY: Thank you, staff. Thank
23 you, Madam Chair.

24 COMMISSIONER BLACO: I do.

1 CHAIRMAN READ: Commissioner Blaco.

2 COMMISSIONER BLACO: Do we know about the
3 difference in height between the buffer wall and the
4 interior vinyl wall; is it significantly higher to where
5 that's all you can really see?

6 MR. CRITTENDEN: So there is a grade change
7 from, essentially, Windsurfer Drive along the west side
8 of -- kind of the northwest side of Legends and where
9 that wall is that the RV dealership put in, the vinyl
10 wall that they put in for their own internal wall kind
11 of screening things, there is a significant height
12 difference. But there's no regulation in the code or in
13 the handbook that addresses, you know, if that is or is
14 not allowed. We would assume it's allowed, without any
15 sort of specific mention addressing that.

16 So while that exterior buffer wall has specific
17 requirements, interior walls, whether the grade changes
18 or not, are allowed to be, you know, however they want
19 as long as they comply with the Sparks Municipal Code
20 where their handbook is silent.

21 COMMISSIONER BLACO: But, then, as far as how
22 far set back that interior wall needs to be as well; it
23 could be right up against that buffer wall if they want
24 to?

1 MR. CRITTENDEN: Yeah, I mean there's no
2 requirement for separation between fences.

3 COMMISSIONER BLACO: Thank you.

4 CHAIRMAN READ: You know, perhaps the applicant
5 could talk to the neighbors and try to work on a
6 solution. Would you like to come back up.

7 MR. FRANK BIDART: Yeah, I did bring up one
8 issue. I was told by both the RV dealership and the RED
9 Development that, you know, we could, we could go back
10 here and intensify the landscaping a little bit and
11 plant a few more trees that'll break that up. They said
12 they would be willing to look at that.

13 CHAIRMAN READ: Okay. Thank you.

14 Any other questions?

15 All right. Any further discussion by the
16 Commission or a motion?

17 COMMISSIONER BLACO: I'll go ahead and make a
18 motion.

19 CHAIRMAN READ: Go ahead, Commissioner Blaco.

20 COMMISSIONER BLACO: I move to forward to the
21 City Council a recommendation of approval of the request
22 to amend the Legends at Sparks Marina Planned
23 Development Handbook, PCN20-0006, based on the findings
24 A through J and the facts supporting those findings as

1 set forth in the staff report.

2 CHAIRMAN READ: Thank you. Do we have a
3 second?

4 COMMISSIONER PRITSOS: Second.

5 CHAIRMAN READ: Thank you, Commissioner
6 Pritsos.

7 Any further discussion?

8 COMMISSIONER CAREY: Question concerning the
9 motion. Excuse me. The staff report lists out the
10 findings A and B, and then it's PDC through PDj. I
11 believe, Commissioner Blaco's motion was findings A
12 through J. Do we need to modify the motion or change?
13 Because it's different than what's listed in the staff
14 report.

15 COMMISSIONER BLACO: Okay. A through PDj.
16 That would work.

17 MS. MCCORMICK: I'm sorry. Alyson McCormick,
18 for the record.

19 Would you restate your question, please,
20 Commissioner Carey.

21 COMMISSIONER CAREY: Yeah. I'm fine with the
22 motion. My question is, is the staff report lists out
23 the findings. It's listed as Finding A, Finding B, and
24 then it's Finding PDC and through PDj. Commissioner

1 Blaco's motion was findings A through J. Does the
2 motion need to be amended to reflect what's in the staff
3 report?

4 MS. MCCORMICK: Again, Alyson McCormick, for
5 the record.

6 The findings in the code are listed out just A
7 through J. So, I think, Commissioner Blaco's motion, as
8 stated, fits. But I do understand the confusion based
9 on the body of the staff report.

10 COMMISSIONER CAREY: Thank you for that. Thank
11 you, Madam Chair.

12 CHAIRMAN READ: Anything else?

13 All right. We have a motion. All those in
14 favor, signify by saying "aye."

15 (Commission members said "aye.")

16 CHAIRMAN READ: Opposed?

17 The motion carries. Thank you.

18 Next, we have PCN20-0004, consideration of and
19 possible action on a request for a conditional use
20 permit to allow a 144-room hotel on a site approximately
21 1.86 acres in size located the 790 East Lincoln Way in
22 the Mixed-Used District zoning.

23 MR. CRITTENDEN: Chair Read, members of the
24 Planning Commission, Ian Crittenden, Development