



**CITY OF SPARKS
PLANNING COMMISSION MINUTES
FEBRUARY 16, 2017**

*Planning Commissioners:
Frank Petersen, Chair
Dian VanderWell, Vice Chair
Mary Brock
Scott Carey
James Fewins
James Gaba
Art Sperber*

1. CALL TO ORDER

The meeting was called to order at 6:00 p.m.

2. ROLL CALL

PRESENT: Frank Petersen, Mary Brock, Scott Carey, James Fewins, James Gaba, Art Sperber, and Dian VanderWell.

ABSENT: None

STAFF: Assistant Community Services Director – Development, Armando Ornelas, Assistant City Attorney Doug Thornley, Development Services Manager Karen Melby, Senior Planner Ian Crittenden and Administrative Secretary Marilie Smith.

3. PUBLIC COMMENT

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

4. APPROVAL OF THE AGENDA

Chairman Petersen announced that item number 9 on the agenda, PCN16030, has been removed.

MOTION: Commissioner Carey moved to approve the agenda striking item number 9.

SECOND: Commissioner VanderWell.

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Passed.

5. APPROVAL OF MINUTES – Review and possible approval of the minutes from the January 19, 2017 Planning Commission meeting.

Commissioner Fewins announced a correction with regard to his vote on item PCN16-0049. Commissioner Fewins shared that he voted nay to the motion continuing this item. Commissioner Fewins has communicated the correction to the Commission Secretary and the correction has been made.

MOTION: Commissioner VanderWell moved to approve the minutes of the January 19, 2017 Planning Commission meeting with the recommended change.

SECOND: Commissioner Fewins.

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Passed.

6. ANNOUNCEMENTS AND COMMITTEE REPORTS

Mr. Armando Ornelas announced that the next Planning Commission meeting will be held on March 16, 2017. The regular meeting will be followed by a workshop. The meeting will begin at 6:00 p.m. and will be located in the Legislative Chambers.

7. INFORMATIONAL ITEMS

None.

PUBLIC HEARING ITEMS

8. PCN16049 – Consideration of and possible action on a Major Deviation request to allow for the construction of a second unit within five feet of the alley (10 foot set-back) in the Mixed Use (MUD-Residential Neighborhood) zoning district located at 414 5th Street, Sparks, Nevada.

Development Services Manager Karen Melby presented this agenda item. Ms. Melby shared that this item was continued from the last Planning Commission meeting. Ms. Melby provided a brief overview of the project and displayed a site plan. The applicant is requesting to reduce the setback from the alley to accommodate a new detached accessory dwelling unit.

The item was continued to allow the applicant time to submit a materials and color palette for the proposed accessory dwelling unit. The materials and color palette were provided to the Commissioners as part of the staff report for this meeting.

Ms. Dominici, the applicant, shared that she is seeking approval to add a small one-bedroom accessory dwelling unit. Ms. Dominici stated that she will do her best to make the unit fit in the neighborhood. Commissioner Carey asked Ms. Dominici which color palette she thought would best match the existing unit. Ms. Dominici stated that she has not yet picked a color palette but she was thinking maybe the grey matched best.

Commissioner Carey asked Ms. Dominici why she selected a manufactured home over a stick built home. Ms. Dominici stated that her selection was made purely based on cost. The manufactured home is a much more affordable option.

Commissioner Fewins asked for clarification regarding the current building located at the south end of the lot and whether it would be removed. Ms. Dominici stated that it is a storage shed and she will be removing it as part of this request to make room for the additional parking.

Ms. Dominici shared that she will be very frustrated if the project is not approved because she is trying to do the right thing and there are some residents in her neighborhood that have not added structures the right way and they have been allowed to remain.

Public comment was opened.

Mr. Ken Deboy, owner of 446 7th Street, spoke in favor of the project. Mr. Deboy shared that he understands the architectural concerns presented by the Commission, however, in his opinion Ms. Dominici's project will better the neighborhood. There are several other homeowners within the area that are not interested in improving the property values and he believes that Ms. Dominici's project will add value to the neighborhood.

There being no further public comment, the public comment was closed and the item was brought back to the Commissioners for discussion.

Commissioner Sperber asked Ms. Melby to clarify Condition number 3. Specifically, Condition number 3 requires the applicant to use the 'same or higher quality building materials'. Commissioner Sperber asked Ms. Melby if she was able to make the Findings as stated in Condition number 3. Ms. Melby explained that, at the time the staff report was written, the issue was the setback request and the architecture of the structure. Ms. Melby stated that many times when writing a staff report, staff includes code requirements as a reminder to the applicants of the components that are required during the building process. Commissioner Sperber continued to express concern that the requirements of Condition 3 were not being met. Mr. Ornelas shared that there is a degree of subjectivity with regard to the conditions and given the age of the structure Condition 3 is difficult to address. Mr. Ornelas stated that should any of the Commissioners have difficulty with staff's position they can disagree.

Vice Chairman Petersen asked for the further discussion and/or a motion.

Commissioner Carey stated that he is still unable to make Findings MD1 and MD4. In his opinion, the accessory dwelling unit does not fit within the architectural style or character of the neighborhood and further stated that while there are existing accessory dwelling units in the neighborhood that do not meet the code or compatibility requirements, he is unable to support the request.

MOTION: Commissioner Carey moved to deny the Major Deviation associated with PCN16049.

SECOND: Commissioner VanderWell.

Commissioner Petersen asked for discussion. Commissioner Fewins stated that he is in favor of the Major Deviation request. Commissioner Fewins shared that he feels like the applicant is being punished for doing the right thing in applying for the Major Deviation and seeking approval of the Commission prior to constructing an accessory dwelling unit. Testimony and comments received from the neighbors is favorable and Commissioner Fewins stated he thinks the project is a good fit for the neighborhood.

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

The motion failed.

MOTION: Commissioner Fewins moved to approve the Major Deviation request at 414 5th Street based on the facts contained in the staff report and the Findings based thereof.

SECOND: Commissioner VanderWell.

Assistant City Attorney Doug Thornley asked Commissioner Fewins for clarification on his position regarding Condition 3. Commissioner Fewins stated that he was in agreement with Condition 3 and it should remain.

Vice Chairman Petersen asked for discussion.

Commissioner Carey shared that he would like to amend Condition 3 to include a requirement that the applicant select color palette #10 as it seems to be the most compatible with the current structure. Mr. Thornley suggested that rather than a specific color requirement, perhaps the Condition should be worded to allow the color to be at the approval of the administrator upon submittal.

Commissioner Fewins amended the motion to include the suggested language. Commissioner VanderWell agreed.

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

Passed.

GENERAL BUSINESS

9. PCN16-0052 – Consideration of and possible action on a Tentative Map request for a 17 lot residential subdivision, on a site 4.22 acres in size, in the SF6 (single family) zoning district located at 7460 Wingfield Springs Road, Sparks, NV.

Senior Planner Ian Crittenden presented this agenda item. Mr. Crittenden shared that a Tentative Map for this area had previously been approved in 2006 and expired in 2008. The applicant would like to reactivate the Tentative Map on this property to allow for a maximum of 17 single family lots.

Mr. Crittenden presented a site map and discussed the access from Wingfield Springs Road. Mr. Crittenden also shared that the number of lots allowed may change due to a fire department requirement requiring a 48-foot radius in the cul-de-sac. Mr. Crittenden presented the Tentative Map findings.

Commissioner Carey asked if there were plans to connect the subdivision to the existing walking path in the neighborhood. Mr. Crittenden responded that there is not a plan for connection. There is not a clear connection and, at this time, it is staff's opinion that the proposed project is too far

away from path to require the applicant to develop the connection. Commissioner Carey stated that perhaps the City can help make the connection as part of a future CIP project.

Cameron Andelin, representing the applicant, introduced himself and offered to answer any additional questions. Mr. Andelin shared that it is their intent to provide some nice homes for residents to choose from in the area.

Commissioner Petersen asked if models have been selected yet. Mr. Andelin stated that no selections have been made yet, however, they have started the process with a couple of local builders.

Commissioner Fewins asked if there are any plans to connect the development to the path at the back of the cul-de-sac. Mr. Andelin stated that there are no plans at this time, however, it could be considered during development. Mr. Crittenden shared that this is something that can be considered during the final map process, however, there are ownership and easement issues that will have to be researched.

MOTION: Commissioner VanderWell moved to forward a recommendation of approval to the City Council of the Tentative Map for Sierra Shadows associated with PCN16-0052, adopting Findings T1 through T12 and the facts supporting these Findings as set forth in the staff report and subject to the Conditions of Approval 1 through 11 as listed in the staff report.

SECOND: Commissioner Fewins.

Commissioner Petersen asked for discussion. Commissioner Carey shared that he is able to make the Finding T6 regarding school accessibility based on the information provided in the staff report.

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Passed

10. ELECTION OF SPARKS PLANNING COMMISSION OFFICERS FOR 2017

Commissioner Petersen opened the floor to nominations for Chairman.

Commissioner VanderWell nominated Commissioner Petersen for the position of Chairman. Commissioner Fewins seconded the nomination. All ayes. Commissioner Petersen was elected as Chairman.

Commissioner Petersen opened the floor to nominations for Vice Chairman.

Commissioner Sperber nominated Commissioner VanderWell for the position of Vice Chairman. Commissioner Fewins seconded the nomination. All ayes. Commissioner VanderWell was elected as Vice Chairman.

11. REVIEW OF SPARKS PLANNING COMMISSION RULES OF PROCEDURE

Mr. Ornelas began by stating that during the most recent Study Session Mr. Thornley provided an overview of the Rules of Procedure and briefly identified recommended changes. Mr. Ornelas encouraged discussion with regard to recommended changes from the Commissioners. Upon presentation and discussion of any recommended changes, the Commissioners were encouraged to make a motion and vote on any recommended changes.

Commissioner VanderWell recommended adding a 15-minute time limit to the time allotted for an applicant to present under Section 3., H., 3. Commissioner VanderWell made such motion. Commissioner Sperber seconded the motion. All ayes. Passed. A 15-minute maximum will be added to this section.

Commissioner Sperber recommended a change in the language regarding Study Sessions. Commissioner Sperber stated that there have been some items in the past that should have been discussed in a Study Session setting. Commissioner Sperber moved that Study Sessions shall be held on the Tuesday preceding a regular meeting unless otherwise decided for by the Chairman and Vice Chairman. Commissioner VanderWell seconded the motion. Commissioner Petersen asked for discussion. Commissioner Petersen suggested that the decision to not have a Study Session can be decided by either the Chair or Vice Chair if the Chair is not available, but in his opinion it is not necessary for both to decide. Commissioner Sperber stated he agreed with the modification of the motion. The Planning Commission secretary restated the proposed language adding the 'and/or' clause. The Commissioners voted. All ayes. Passed. The language will be amended and added as approved.

Assistant City Attorney Doug Thornley presented two changes for review and discussion. Upon presentation and discussion, the following motions were made.

Commissioner Fewins moved to amend language in Section 8. Section 8 shall read: Tie Vote: Unless followed by a subsequent motion, or unless an item requires the affirmative vote of five or more members, tie votes shall result in a technical denial and be forwarded to the City Council. Commissioner VanderWell seconded the motion. All ayes. The language will be amended.

Commissioner Fewins moved to strike Sections 10, 11, and 12 and Article V in their entirety. Commissioner VanderWell seconded the motion. As part of the discussion regarding the item, Commissioner Carey stated that the Commission will follow the direction of NRS 281A. All ayes. The identified sections will be removed.

12. RECOMMENDATION TO THE MAYOR OF A COMMISSIONER TO SERVE AS AN ALTERNATE ON THE TRUCKEE MEADOWS REGIONAL PLANNING COMMISSION

Commissioner Petersen opened the floor for discussion and a possible motion for recommendation of a Commissioner to serve as an alternate on the Truckee Meadows Regional Planning Commission.

Commissioner Sperber nominated Commissioner Carey. Commissioner VanderWell seconded the motion. Commissioner Carey stated that he appreciated the nomination, however, due to professional obligations, he declined the nomination.

Commissioner Brock nominated Commissioner Gaba. Commissioner Fewins seconded the motion. Commissioner Gaba was selected as an Alternate to serve on the Truckee Meadows Regional Planning Commission.

13. PUBLIC COMMENT – This is for general public comment limited to items that do not appear on the agenda and is limited to no more than three (3) minutes for each commentator. Pursuant to NRS 241.020, no action may be taken upon a matter raised under this item until the matter has been specifically included on an agenda.

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

14. COMMENTS FROM THE COMMISSIONERS

Commissioner Petersen wished Ms. Melby a Happy Birthday.

Commissioner Sperber welcomed Councilman Abbott and thanked him for his interest and attendance of the meeting.

Commissioner Carey invited fellow Commissioners and members of the public to join an Arts and Cultural strategic planning workshop this Saturday at the Golden Eagle Grill and/or on Facebook live.

15. ADJOURNMENT

The meeting adjourned at 7:09 p.m.