



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

**CITY OF SPARKS
PLANNING COMMISSION
APPROVED MINUTES
SEPTEMBER 7, 2017**

1. CALL TO ORDER

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

2. ROLL CALL

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

ABSENT: None.

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

3. PUBLIC COMMENT

Ms. Lauren Knox of the Truckee Meadows Regional Planning Agency provided the Commissioners with a brief update on the revision of the Regional Plan. Ms. Knox encouraged members of the Commission to get involved by participating in a survey to help facilitate a plan to shape the future of our community. The survey is available at PlanTruckeeMeadows.org. An informational reminder card was given to each of the Commissioners.

4. APPROVAL OF THE AGENDA

MOTION: Commissioner VanderWell moved to approve the agenda.

SECOND: Commissioner Fewins.

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Passed.

5. APPROVAL OF MINUTES

Review and possible approval of the minutes of the July 6, 2017 Planning Commission Meeting.

MOTION: Commissioner VanderWell moved to approve the minutes of the July 6, 2017 Planning Commission Meeting.

SECOND: Commissioner Brock.

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Passed.

Review and possible approval of the minutes from the August 1, 2017 Planning Commission Study Session.

MOTION: Commissioner VanderWell moved to approve the minutes of the August 1, 2017 Study Session.

SECOND: Commissioner Fewins.

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Passed.

Review and possible approval of the minutes from the August 3, 2017 Planning Commission Meeting.

Commissioner Carey proposed changes to the minutes of the August 3, 2017 Planning Commission meeting. Commissioner Carey presented the proposed changes. The Commissioners were accepting of the changes.

MOTION: Commissioner Carey moved to approve the minutes of the August 3, 2017 Planning Commission meeting with the inclusion of the proposed changes on pages 8 and 9 as presented.

SECOND: Commissioner VanderWell.

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Passed.

6. ANNOUNCEMENTS AND COMMITTEE REPORTS

None.

7. INFORMATIONAL ITEMS

Mr. Ornelas shared the details regarding the upcoming 2017 APA Nevada Chapter State Conference. The conference will be held in Carson City this year on October 1-4. Commissioners who would like to attend are encouraged to contact Ms. Smith to get registered for the event.

PUBLIC HEARING ITEMS

8. PCN17-0033 – Consideration of and possible action on a request for a Major Deviation to reduce the floor area ratio in the MUD (Mixed Use – Commercial) zoning district on a site totaling 1.73 acres in size located at 1412 and 1416 Pullman Drive, Sparks, NV.

Senior Planner Ian Crittenden presented this agenda item. Mr. Crittenden shared that this is a Major Deviation request for Champagne Dentistry to reduce the floor area ratio in the mixed-use zoning district. Mr. Crittenden shared that due to an oversight, the Conditions were not included with the staff report upon distribution, however, a copy of the Conditions has since been provided to the Commissioners and will be read into the record at the end of the presentation. Mr. Crittenden apologized for this oversight. Mr. Crittenden presented a vicinity map and identified surrounding uses and locational criteria. Mr. Crittenden reviewed the standard floor area ratio for this site and shared that the request is to deviate from the 0.75 floor area ratio to greater than 0.375. The site is part of an existing mixed-use center, the Marina Marketplace. The development of the Marina Marketplace was approved through a Special Use Permit process in 1999. In 2006 there was a site plan review to allow for the construction of the dental office. The current request involves the last two remaining parcels for development on the site. Champagne Dentistry is proposing to expand their dental offices at this location and consolidate offices from other locations. The proposed building will be 15,000+ square feet and will include dental and administrative offices.

Mr. Crittenden shared that in order for the project to meet the parking requirements, a reciprocal parking agreement with adjacent uses may be necessary. Upon the approval of the Major Deviation, the application will be subject to an Administrative Review process prior to beginning construction. Mr. Crittenden shared that staff will review the proposed building size and site plan upon submittal to ensure that all of the parking standards are met. A copy of a reciprocal access parking agreement will be obtained if necessary to accommodate the proposed building size.

Mr. Crittenden reviewed the required findings necessary to support the request and presented the six proposed Conditions. Staff is recommending approval of the request with the six Conditions.

Commissioner Carey requested clarification on a notice that he received at his home for this project. The notice received requested a floor area ratio reduction from 0.75 to 0.54, however, it appears that now the request is for up to 0.375. Mr. Carey asked for clarification regarding the change. Mr. Crittenden shared that upon staff and the applicant's further discussion and review it was identified that a Conditional Use Permit would be required on the adjacent parcel to accommodate the parking requirements of the proposed new building construction. The mixed-use district does not allow stand-alone parking on a parcel without a Conditional Use Permit. Upon further review and evaluation, it was determined that the best solution was to obtain a reciprocal parking agreement with surrounding uses and amend the floor area ratio request to be greater than 0.375 as opposed to the 0.54 as originally stated. Mr. Ornelas provided further clarification and stated that the applicant may still consider requesting a Conditional Use Permit for the adjacent parcel, however, the request for consideration today is for a Major Deviation to accommodate the new construction of the dental office. The building size and parking requirements will be reviewed during the Administrative Review process prior to the construction of the new building.

Commissioner Carey requested that Mr. Crittenden provide the Commissioners with some background information with regard to the floor area ratio standards and how the standards promote transit use. In addition, Commissioner Carey asked staff if the City has approved any projects since the adoption of the newly revised FAR code that have met the standards.

Mr. Crittenden responded that to his knowledge there have been residential and combined residential/commercial projects that have met the floor area ratio standards but the City has not received or approved a stand-alone commercial project that has met floor area ratio standards.

Mr. Crittenden stated that the floor area ratio standards promote transit use through higher density and also through the availability of commercial uses. Higher densities and commercial uses along main corridors provide opportunity for transit use. Mr. Ornelas provided further clarification by stating that the intent of the mixed use district is in part to facilitate a mixture of uses not just a

transit oriented district which is the reason the City recently amended the term used to describe the districts from TOD (Transit Oriented District) to MUD (Mixed-Use District). A mixed-use district fosters a mix of uses and supports both a transit and pedestrian environment.

Chairman Petersen asked if there have been any responses from the neighborhood as a result of the noticing that was done. Mr. Crittenden stated that he has not received any responses as a result of the neighborhood noticing.

Mr. Chris Baker of Manhard Development, representing the applicant, introduced himself and offered to answer any additional questions. Mr. Baker shared that he agreed with the staff report and the conditions as written.

The public comment was opened. No public comment was received, the public comment was closed.

Chairman Petersen asked for further discussion or a possible motion. No further discussion.

Commissioner Carey commented that he received a notice for the project in July and wanted to share that he thought that a floor area ratio of 75% and 18 dwelling units per acre as specified in the code is not compatible for the area. In addition, Commissioner Carey stated that it would be great if the area was served by Bus Rapid Transit but the area does not have the densities required to support this type of service. Commissioner Carey called attention to the RTC 4th Street/Prater way corridor study, which identified that Bus Rapid Transit service would not extend past 15th Street in Sparks and not serve this area in the future. Commissioner Carey stated that staff should consider a smaller floor area ratio and smaller densities that are more compatible with the area and consistent with planned transit service. Commissioner Carey stated that he believes the proposed Major Deviation request is compatible with the area.

MOTION: Commissioner Carey moved to approve the major Deviation associated with PCN17-0033, adopting findings MD1 through MD5 and the facts supporting these findings as set forth in this staff report, subject to the conditions of approval 1 and 6 as listed in the Staff report.

SECOND: Commissioner VanderWell.

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Passed.

9. **PCN17-0043** – Consideration of and possible action on a Conditional Use Permit request to reduce the setbacks and separation distance from a single-family residential unit for construction of a new 90-foot tall cellular tower and equipment enclosure located at 1935 Pacific Avenue.

Development Services Manager Karen Melby presented this agenda item. Ms. Melby presented a vicinity map and identified surrounding uses. Ms. Melby reviewed the setback requirements for a cell tower and discussed the Conditional Use Permit requirement based on the size and placement of the requested tower. Ms. Melby shared drawings depicting the proposed location and elevation for the new cell tower.

The site is designated and zoned industrial and the proposed cell tower is an allowed use. The proposed site has been transitioning from residential to industrial for the last 10 years and the adjacent non-conforming residential property has been grandfathered. Ms. Melby reviewed the six required findings. Staff is recommending approval of the project with 10 Conditions. Ms. Melby identified a change to Condition 8 from those presented during the Study Session. The change reflects a shift from the applicant to the property owner for the landscape plan and preservation.

Commissioner Carey asked for clarification as to why the proposed cell tower is not required to be stealth. Ms. Melby stated that none of the other towers in the area are stealth and it is staff's opinion that a stealth tower would be more noticeable than a non-stealth tower.

Commissioner Fewins requested clarification with regard to the proposed generator and the potential noise pollution. Ms. Melby stated that the generator is to be used for emergency operations only. The generator will be tested on a routine basis to ensure operation during an emergency.

Commissioner Petersen asked for clarification regarding a building permit and whether the code can address a tower this high. Ms. Melby responded that a building permit will be required and cellular towers are covered in the building code.

Mr. Buzz Lynn of Epic Wireless, representing the applicant, thanked the Commission and the staff for the time spent considering the request. Mr. Lynn offered to answer additional questions.

Commissioner Carey asked Mr. Lynn if any co-locations had been explored and asked why this location was selected. Mr. Lynn responded that co-locations were explored and all were owned by the City of Sparks and not available sites for placement of a cell tower.

Commissioner Gaba asked for clarification regarding the need. Mr. Lynn stated that coverage areas are not necessarily the issue when determining a need for a new tower. Mr. Lynn shared that the need in this case is to improve data transmission.

Chairman Petersen asked for further discussion. There being no further discussion called for a motion.

MOTION: Commissioner Read moved to approve the Conditional Use Permit associated with PCN17-0043, adopting Findings S1 through S6 and the facts supporting these Findings as set forth in this staff report, subject to the conditions of approval 1 through 10 as listed in this staff report.

SECOND: Commissioner VanderWell

Commissioner Carey asked for discussion. Chairman Petersen opened discussion. Commissioner Carey stated he is a little concerned with the visual impact of the tower. He stated he is prepared to go with staff's recommendation but he wanted to his point to go on the record.

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Passed.

GENERAL BUSINESS

- 10. PCN17-0038** – Consideration of and possible action on a request for approval of the Phase 8 Final Development Handbook for the Kiley Ranch North Planned Development on a site approximately 34 acres in size in the NUD zoning district.

Ms. Melby presented a vicinity map, a land use map, reviewed the zoning and discussed the location. Ms. Melby stated that this is the Final Handbook for the Kiley Ranch Phase 8 Planned Development. There have been 6 previous Final Handbooks for the Kiley Ranch North Planned Development. This Handbook includes an applied overlay designation for schools for Villages 17 and 18. The Phase 8 Handbook does not include development plans.

Staff has compared the develop standards in the Tentative Handbook against the Final Handbook as submitted and have found that the Final Handbook is in substantial conformance with the Tentative Handbook. Ms. Melby presented and reviewed the required standards associated with a Final Handbook request. Ms. Melby presented and reviewed the five criteria necessary to determine the Final Handbook is in substantial compliance with the Tentative Handbook.

Ms. Melby stated that based on the five criteria staff believes that the Final Planned Development Handbook for the Kiley Ranch North Phase 8 Planned Development Handbook is in substantial compliance with the Tentative Handbook as approved by City Council and recommends the Planning Commission forward a recommendation of approval to the City Council for the Kiley Ranch North Phase 8 Planned Development Handbook

Commissioner Carey asked for clarification regarding what happens to the 14 acres that were designated as business park when the acreage is used for development of a school site. Will the 14 acres be transferred to another area. Ms. Melby stated that the Handbook does not address the transfer of commercial or business park land uses. There are however, other phases of the Handbook that will follow and it is underdetermined at this time if they will include business park land uses.

Ms. Lois Brown of KM2 Development, representing the applicant, introduced herself and provided a brief history of the development in the Kiley Ranch area. Ms. Brown also addressed Commissioner Carey's question with regard to the transfer of business park land use. Ms. Brown stated that there is a mechanism to designate business park land use through an amendment to the Handbook that could be utilized as requests are received for commercial development.

Commissioner Fewins asked Ms. Brown to give the Commission an update on the Kiley Ranch development to date. Ms. Brown provided an overview of current and upcoming development.

Community Services Director John Martini shared that the reason for the relocation of the school site is a result of conversations between staff and KM2 Development to move the school site from the originally proposed location on a major arterial to a more favorable location. Mr. Martini identified that there are several problems with schools located on major arterials and schools located in the heart of development make more sense.

Chairman Petersen asked for further discussion. There being no further discussion called for a motion.

MOTION: Commissioner Fewins moved to forward a recommendation of approval to the City Council of PCM17-0038 as the Final Handbook for Phase 8 of the Kiley Ranch North Planned Development is in substantial compliance with the Tentative Kiley Ranch North Planned Development Handbook and the facts supporting these findings as set forth in the staff report.

SECOND: Commissioner Brock.

Chairman Petersen asked for further discussion. There being no further discussion called for a vote.

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

Passed.

- 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, the public comment was closed.

12. COMMENTS FROM THE COMMISSIONERS

Commissioner Fewins requested clarification on upcoming Planning Commission meeting dates. Mr. Ornelas shared that there will not be a September 21st meeting and the next meeting of the Commission will be on October 5.

Commissioner Carey announced an upcoming meeting on Thursday, September 14, from 4-7 p.m. in the City Council Chambers to share the preliminary design for the future Spaghetti Bowl Plan. More information can be obtained by visiting the website at ndotspaghettibowl.com.

Commissioner Carey suggested that staff look at revising the noticing for Major Deviation requests. Commissioner Carey believes the public has a right to know how much the requested deviation is and that listing the amount to be deviated as a percentage would be easier to interpret and understand.

Commissioner Read thanked fellow Commissioners and staff for the warm welcome and assistance she has received since her appointment as a Commissioner.

13. ADJOURNMENT

The meeting adjourned at 7:08 p.m.