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TRANSCRIPT MINUTES

STUDY SESSION

CITY OF SPARKS PLANNING COMMISSION

Tuesday, July 31, 2018
12:00 p.m. to 1:00 p.m.

Sparks City Hall Downstairs Training Room
431 Prater Way
Sparks, Nevada

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A P P E A R A N C E S

Commission Members Present:

- Dian VanderWell, Chair
- Scott Carey, Vice Chair
- Mary Brock (absent)
- James Fewins
- Frank Petersen (absent)
- Shelley Read
- Karim Shabazz

Staff Present:

- Alyson McCormick
Assistant City Attorney

- Jon Ericson
City Engineer

- Karen Melby
Development Services Manager

- Ian Crittenden
Senior Planner

- Jonathan Cummins
Assistant Planner

- Marilie Smith
Administrative Secretary
Community Services Department

Other Participants:

(None)

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1 SPARKS, NEVADA, TUESDAY, JULY 31, 2018, 12:00 P.M.

2 -oOo-

3 CHAIRMAN VANDERWELL: Okay. Are we ready?

4 Okay. I'm going to call to order the Study
5 Session for the City of Sparks Planning Commission for
6 Tuesday, July 31st.

7 If we could do roll call, please.

8 MS. SMITH: Commissioner VanderWell?

9 CHAIRMAN VANDERWELL: Here.

10 MS. SMITH: Commissioner Carey?

11 COMMISSIONER CAREY: Present.

12 MS. SMITH: Commissioner Brock is absent.

13 Commissioner Fewins?

14 COMMISSIONER FEWINS: Here.

15 MS. SMITH: Commissioner Petersen is absent.

16 Commissioner Read?

17 COMMISSIONER READ: Here.

18 MS. SMITH: Commissioner Shabazz?

19 COMMISSIONER SHABAZZ: Here.

20 MS. SMITH: Assistant City Attorney Alyson
21 McCormick?

22 MS. MCCORMICK: Here.

23 MS. SMITH: City Engineer Jon Ericson?

24 MR. ERICSON: Here.

25 CHAIRMAN VANDERWELL: Are we good?

1 MS. SMITH: M-hm (affirmative).

2 CHAIRMAN VANDERWELL: Okay. Next, we'll move
3 on to review of our agenda. And we'll start with
4 PCN18-0033, amend the final handbook of Kiley Ranch
5 North Phase 7.

6 MS. MELBY: Good afternoon, Planning
7 Commissioners. I'm Karen Melby, Development Service
8 Manager.

9 This first project on your agenda today is the
10 amendment to the Kiley Ranch North final planned
11 development handbook for Phase 7. This amendment is to
12 allow private streets on the site that is 6.56 acres in
13 a Mixed New Urban district zoning for Kiley.

14 The property is located, you'll see on the map
15 here, northeast of Windmill Farms, along Kiley Parkway,
16 and this would be the future extension of -- on the
17 Kiley handbook, it's Lazy Five. It will be called
18 Wingfield Hills Road. So there is some confusion in the
19 staff report.

20 On December 7, 2017, you reviewed the final
21 draft of the Kiley Ranch Phase 7 handbook, and it was
22 approved by Council, excuse me, on January of 2018.

23 When we were recording the handbook, staff
24 realized that we did not have the correct page in the
25 handbook. And so on May 14, 2018, the City Council

1 approved an amendment to the subject handbook.

2 Therefore, today you are looking at this
3 handbook for the third time.

4 The master developer for Phase 9, or Village --
5 I'm sorry -- Village 9 of Phase 7 is proposing a gated
6 community with private streets, entrance gates and a
7 private community clubhouse. The recorded Phase 7
8 handbook did not allow for private streets, gates or
9 private recreational amenities.

10 Therefore, the applicant is asking to amend the
11 handbook today to allow for private streets and gates,
12 entrance gates as a development option within the
13 planned development handbook. The changes in the
14 handbook are highlighted in yellow, and the deletions
15 are strikeout.

16 There is only one land use in this final
17 handbook, which is Low Density Residential and Open
18 Space. Actually, two. I'm sorry.

19 The handbook identified the responsibilities
20 for the maintenance of the private streets, utilities,
21 streetlights, fire hydrants and the common areas.

22 The staff finds that this project is in
23 conformance with the findings. And, therefore, it's
24 recommending approval.

25 And if you will put the findings in the record

1 on Thursday.

2 CHAIRMAN VANDERWELL: Thank you.

3 Any questions from the Commissioners?

4 COMMISSIONER CAREY: I had one, Madam Chair.

5 CHAIRMAN VANDERWELL: Yeah, Commissioner Carey.

6 COMMISSIONER CAREY: Karen, how many miles of
7 private streets will be in this phase with the handbook
8 change?

9 MS. MELBY: Honestly --

10 COMMISSIONER CAREY: Well, we won't know until
11 it's heard.

12 MS. MELBY: Staff never calculated that. We
13 can calculate that and provide it to you on Thursday, if
14 you'd like.

15 COMMISSIONER CAREY: Yeah, that would be good.
16 I was just kind of curious to see what, potentially, if
17 there would be a fiscal impact to the City's Road Fund.
18 Because, I think, one of the findings was it would, by
19 allowing more private streets, reduce the infrastructure
20 cost to the City moving forward. I was just kind of
21 curious how many miles and what the...

22 Thank you.

23 CHAIRMAN VANDERWELL: Any other questions?

24 Okay. Thank you.

25 Next, we'll move along to PCN18-0017,

1 consideration for property located at 7434 Baldwin
2 Circle.

3 MS. MELBY: Good afternoon. Karen Melby,
4 Development Service Manager.

5 Before you today is the consideration of the
6 development agreement and voluntary annexation and a
7 rezoning request for a property that's 4.2 acres. It's
8 located at 7434 Baldwin Circle. It's in a Washoe County
9 pocket within the City's Sphere of Influence.

10 You can see here outlined, this is the property
11 along Wingfield Springs Road. The property is bordered
12 on two sides by the City limits, according to Washoe
13 County's Assessor's website. The single-family home on
14 the property was constructed in 1983.

15 The current property is accessed from an access
16 easement and not City streets. So upon annexation, the
17 property will have to be accessed from a City street.

18 There are three requests. The first one is the
19 development agreement. The development agreement is
20 intended to provide a degree of regulatory
21 predictability for the build-out of the property. And
22 the development agreement provides the maximum number of
23 dwelling units, where the utilities will be to serve the
24 property, and access to these proposed lots.

25 Staff views the development agreement as

1 consistent with the Comprehensive Plan because, upon
2 annexation, the property will be within the Impact Fee
3 Services Area Number 1 and will provide, will contribute
4 to providing sanitary sewers, storm drain improvements,
5 fire station and regional trails.

6 The annexation request. Staff feels that the
7 development agreement conforms to the policies in the
8 Comprehensive Plan. Staff feels that the annexation
9 finding and also the rezoning findings can be made.

10 The property is a hundred percent owned by one
11 property owner and is contiguous to City limits. It
12 would be annexing a portion of an existing Washoe County
13 island, which portions of that would still be within
14 Washoe County.

15 Public notice was published in the Reno
16 Gazette-Journal on July 20th, 2018, and 127 notices were
17 mailed to property owners within 750 feet of the
18 property.

19 One of the property owners did contact staff
20 and provided information on the subject property, which
21 is that the property is encumbered by a declaration of
22 restrictions which -- with provisions prohibiting
23 placing residential structures on a lot smaller than 1.8
24 acres. The proposed development within the handbook are
25 smaller than 1.8 acres.

1 This restriction could prevent the applicant
2 from developing the subject site as proposed.
3 Accordingly, City staff is recommending that the
4 Planning Commission table this item, these three items,
5 the development agreement, the annexation and rezoning
6 requests, until there's a resolution of this legal issue
7 between the applicant and the other parties under the
8 restriction of the declaration of restrictions.

9 This concludes my presentation. And we will
10 put the detailed findings in the record on Thursday
11 night.

12 CHAIRMAN VANDERWELL: Thank you. So, because
13 it's agendized, we still have to open it and do public
14 hearing?

15 MS. MCCORMICK: Yes, because --

16 CHAIRMAN VANDERWELL: Okay.

17 MS. MCCORMICK: -- it was agendized and
18 publicly noticed.

19 CHAIRMAN VANDERWELL: Okay. All right.

20 MS. MCCORMICK: And it's before the Commission.

21 CHAIRMAN VANDERWELL: Okay. Any Commissioners
22 have any questions?

23 COMMISSIONER CAREY: I have one.

24 CHAIRMAN VANDERWELL: Commissioner Carey.

25 COMMISSIONER CAREY: Thank you, Madam Chair.

1 In the suggested motion to table the rezoning,
2 there's something about citing findings Z1 through Z3.
3 Do we need to do that to table it, or, or was that just
4 a typo?

5 MS. MELBY: I would think that we wouldn't have
6 to cite the findings to table it.

7 COMMISSIONER CAREY: Okay.

8 MS. MELBY: But, Alyson can --

9 COMMISSIONER CAREY: Okay. Thank you.

10 CHAIRMAN VANDERWELL: Okay. Thank you.

11 Next, we'll move along to PCN17-0053, a
12 Comprehensive Plan.

13 MR. CRITTENDEN: This is you right now.

14 MS. MELBY: No, I don't think so.

15 MR. CRITTENDEN: Which one is that?

16 CHAIRMAN VANDERWELL: For the La Posada,
17 Pyramid Way.

18 MS. MELBY: Yeah, that's me.

19 CHAIRMAN VANDERWELL: Okay.

20 MS. MELBY: Sorry.

21 MR. CRITTENDEN: Karen's going to stay.

22 CHAIRMAN VANDERWELL: I know. Karen, hey.

23 MR. CRITTENDEN: Sort through which one you
24 got.

25 MS. MELBY: Good afternoon, Planning

1 Commissioners. Karen Melby, Development Service
2 Manager.

3 This request before you is an amendment to the
4 Comprehensive Plan to change the land use designation of
5 multi-family, commercial, and employment center, and
6 intermediate residential, open. Basically, the request
7 is a shuffling of the land use. The proposed amendment
8 covers the western portion of the property.

9 You can see here outlined in kind of a purplish
10 color. The red line on this graphic outlines the entire
11 Stonebrook, which is 610 acres. And this area is, 167.1
12 acres is what the request is for.

13 The portions that are being requested to amend
14 are designated commercial, business park, and multi-
15 family residential uses.

16 Stonebrook planned development, as I stated,
17 consists of 610-acres. It was approved for 2,135
18 dwelling units, 50.9 acres of commercial, 33.6 acres of
19 business park. The City Council approved the Stonebrook
20 planned development Final Design Standards Handbook on
21 April 24th, 2006.

22 There are two approved subdivisions by the City
23 Council on the eastern portion of the Stonebrook planned
24 development. The portion of Stonebrook planned
25 development covered by this Comprehensive Plan amendment

1 consists of four parcels.

2 The existing...

3 CHAIRMAN VANDERWELL: There it is. It's there.

4 MS. MELBY: Okay. So the existing master plan
5 designations are there's a 14.1 acres of
6 Multi-Family-24, 50.9 acres of Commercial, 33.6 acres of
7 Employment Center, 46.9 acres of an Intermediate Density
8 Residential, and 13.1 acres of Open Space.

9 On the proposed land use map, the applicant is
10 requesting to amend the land uses to 19.1 acres of
11 Multi-Family-24, 38.6 acres of Commercial, 33.6 acres of
12 Employment, 54.2 acres of IDR, or Intermediate Density
13 Residential, and 13.1 acres of Open Space.

14 The proposed request does not change the number
15 or types of land uses. It proposes to relocate the land
16 uses.

17 The proposed changes are, in part, being asked
18 by the applicant because they are interested in creating
19 a larger multi-family parcel that is not split by the
20 drainage channel, or Reach 4. Relocating the
21 multi-family resulted in shuffling some of the other
22 land uses.

23 If this Comprehensive Plan amendment is
24 approved, the Stonebrook final handbook would have to be
25 amended to reflect these changes into the handbook.

1 Staff does find the project in conformance with
2 the findings. And we will record those in the record on
3 Thursday night.

4 This concludes my presentation. I'd be happy
5 to answer any questions.

6 CHAIRMAN VANDERWELL: Thank you.

7 Any questions of the Commissioners?

8 Commissioner Carey.

9 COMMISSIONER CAREY: Thank you, Madam Chair.

10 Karen, I was wondering what the original intent
11 of the existing land use layout is with respect to the
12 commercial area. Was it envisioned originally as big
13 box retail and with the...

14 MS. MELBY: Well, the handbook allowed all
15 types of retail. We didn't know what the -- at that
16 time, when they approved the handbook in '06, we didn't
17 know what type of land uses, I mean what commercial uses
18 would go in there. But it was anticipated that it would
19 become probably some kind of shopping center.

20 COMMISSIONER CAREY: In staff's opinion, does
21 the proposed land use changes for commercial change the
22 character of what potentially could be put in there?

23 MS. MELBY: No. We feel it's good, because
24 it -- actually, for several reasons. One is they're
25 moving the commercial to the north, which puts it at

1 that, the La Posada, Pyramid Highway, which is already
2 developing in the county as a commercial node. So it
3 puts their commercial near that.

4 And, also, it integrates the employment center
5 within the commercial.

6 COMMISSIONER CAREY: And then my last question
7 is, what's the fiscal impact of losing the 12.3 acres of
8 commercial and adding additional multi-family and IDR
9 units?

10 MS. MELBY: Well, the fiscal impact is in
11 combining the -- the Road Fund is negative. And if you
12 combine it with the positive of the General Fund, it's
13 a million, approximately a million dollars over the 20
14 years. The General Fund is \$7.6 million in the 20-year
15 period revenues in the -- so it's supposed to generate
16 \$2 million in revenues to the City Road Fund, with
17 expenditures of \$8.6 million, which would result in
18 \$7.6 million in revenue.

19 COMMISSIONER CAREY: Okay. Thanks, Karen.

20 CHAIRMAN VANDERWELL: Anyone else?

21 Okay. Thank you.

22 Next, we'll move along to PCN18-0016,
23 conditional use permit for a mixed-use district on 1412
24 and 1416 Pullman Drive.

25 MR. CRITTENDEN: Chairman VanderWell, members

1 of the Planning Commission, I'm Ian Crittenden, Senior
2 Planner.

3 This is a request for a conditional use permit
4 to locate a non-restricted gaming facility at 1412 and
5 1416 Pullman Drive. You may remember these parcels from
6 cases such as the major deviation to request a lower
7 floor area ratio on these parcels, as well as a
8 conditional use permit to allow a standalone parking
9 facility on a portion of these parcels.

10 Subsequent to that, there's been an application
11 made to locate this non-restricted use facility on these
12 parcels. The major deviation requirements or conditions
13 of approval will continue to be enforced if this
14 conditional use permit is approved. And it would
15 supersede the conditional use permit or replace a
16 conditional use permit for the parking facility, if
17 approved.

18 So, as mentioned, these are the last two
19 undeveloped parcels in what is known as the Marina
20 Marketplace, which is this larger area here. It's these
21 two parcels here.

22 You may remember from when we discussed the
23 major deviation and a conditional use permit previously,
24 this portion of the property is actually a drainage
25 area. And then there's actually a portion of the

1 property here that is a part of an easement or access to
2 the site. The applicant has requested that those be
3 omitted from looking at the -- I mean we looked at floor
4 area ratios and so forth. And that was kind of part of
5 what we looked at previously. So staff thought that was
6 the appropriate way to look at it.

7 So staff's concerns related to this project
8 were three-fold. We're looking at traffic, parking and
9 the mixed-use district standards.

10 Addressed about the traffic in the traffic
11 analysis, there will be a left-turn parking requirements
12 to address the storage on this parking -- or not parking
13 requirements.

14 UNIDENTIFIED MAN: I hope it's not parking.

15 MR. CRITTENDEN: Temporary, very temporary
16 parking? No. Stacking distance here on the turn lane.
17 There's actually, in the staff report, we mentioned that
18 there would be a right-hand dedicated turn lane that
19 would be required. That was based on an older RTP. The
20 last RTP requirements would actually not require that,
21 that right-hand turn lane. And so staff is no longer,
22 we're not making that as a condition of approval.

23 MR. ERICSON: Ian, if I could add to that.

24 And how we discovered that is that the RTC
25 provided us comment, comments with regards to the

1 traffic analysis. And they have, in the 2040 RTP
2 update, they have adopted the NDOT Access Control Guide,
3 which has just been developed within the last year. And
4 then that, in that guide, to put a dedicated right-turn
5 facility in, you would need to have 150 vehicles an hour
6 during the peak time.

7 So it doesn't -- I think, it's a hundred and --
8 correct me if I'm wrong. A hundred twenty?

9 MS. MELBY: M-hm (affirmative).

10 MR. ERICSON: So. That's the reason why we
11 would remove that condition.

12 MR. CRITTENDEN: Additionally, looking at
13 parking requirements, so the parking standards contained
14 in the City of Sparks parking requirements for this use
15 would require 150 parking spaces. So that's one per 100
16 square feet of gaming facility and then one per 300
17 square feet of accessory uses.

18 The applicant submitted a parking analysis
19 which looked at existing facilities in southern Nevada,
20 one which was owned by them. And they looked at actual
21 documented parking usage and used that to determine what
22 their actual parking demand would be. And they came in
23 at .36 parking spaces per gaming position.

24 We had a lot of back-and-forth discussions
25 about trying to determine if that was an accurate

1 number. Based on that, that we need 72 parking spaces,
2 with 200 gaming positions, at .36, they would be
3 required to provide 72 parking spaces.

4 Additionally, we looked at what the APA, the
5 American Planning Association's parking demands would
6 be, which actually referenced the City of Reno, which
7 has it at, I believe -- Karen, correct me if I'm
8 wrong --

9 MS. MELBY: 550.

10 MR. CRITTENDEN: -- one per five -- 550?

11 MS. MELBY: M-hm (affirmative).

12 MR. CRITTENDEN: And one for 550, which would
13 require 41.

14 And so, with those, with those in hand, we also
15 looked at what the peak hours would be for the uses
16 being proposed. Their peak parking would be on the
17 weekends, which would be when the dentist's office is
18 closed.

19 You may remember, or you may remember from
20 staff reports, when we, when the Planning Commission
21 approved the major deviation, there was a requirement,
22 there was a condition that required a parking agreement
23 between them, a reciprocal parking agreement between
24 them and the dentist's office to the east. And that
25 would still be required. In fact, it's reiterated in

1 the conditions of approval for this, just to make sure
2 that we're all clear that it's there.

3 With that, they would be well over their
4 required 72 parking spaces. And that would not conflict
5 with the parking amendment that the dentist's office
6 generates, because they would be closed on the weekends.
7 The weekday parking demand showed that they would be
8 able to handle it with their on-site 61 parking spaces
9 that they'd be providing with the development.

10 The last concern that we wanted to address is
11 the development will development will be required to
12 meet all the mixed-use district standards, specifically
13 addressing building facades, and so forth. As
14 submitted, they are in substantial compliance with those
15 requirements.

16 The one requirement that we know that they're
17 not meeting is they have a project requirement along
18 Pullman Drive that would require them to be 60 percent
19 of that frontage. That would require -- they're 1.4
20 feet short, or less than one percent short of that 60
21 feet. So they're proposing to seek a minor deviation to
22 address that, rather than redesign the buildings to gain
23 a 1.4 feet. Staff feels like that's a reasonable
24 request. Minor deviations are an administrative
25 approval as well. So you wouldn't necessarily see that.

1 The only two conditions -- or not conditions.
2 I'm sorry -- findings that I wanted just to address --
3 we will read all of them into the record on Thursday --
4 is the questions of conformity and compatibility.
5 Conformity is really addressed in this with regards to
6 the Comprehensive Plan. It's addressed by the fact that
7 this use, while different in intensity, is very similar
8 in nature to a lot of the uses already in there.
9 Restaurants with restricted gaming licenses, and so
10 forth, are already in the Marina Marketplace.

11 So those kind of conformity issues can be -- or
12 that's really a compatibility issue to be addressed to
13 the zoning.

14 Conformity-wise, the Comprehensive Plan
15 specifically addresses that, or specifically states that
16 casinos are a permitted primary use in the mixed-use
17 district, specifically the MUC, the mixed-use commercial
18 portion of the mixed-use district, and they are
19 addressed as permitted primary uses.

20 And then the compatibility, as I mentioned,
21 would be adjacent and similar, if not in intensity,
22 major uses. The one place that we saw additional
23 compatibility was potentially against the multi-family
24 residential to the south. That will be the back of the
25 building. There will be no rear building delivery

1 access or anything. So that will be -- at the back of
2 the building there's already an existing landscape
3 buffer, and that will need to be approved as this is
4 built, moving forward.

5 Otherwise, staff is recommending approval on
6 this. We do believe all of the findings can be made.

7 That's the end of my presentation. If you have
8 any questions, I'd be happy to answer them.

9 COMMISSIONER READ: I have a question.

10 CHAIRMAN VANDERWELL: Commissioner Read.

11 COMMISSIONER READ: On the parking agreement
12 between the dentist's office, is that going to be
13 restricted to just the weekends, or is it just going to
14 be an agreement that they can park on their property?

15 MR. CRITTENDEN: The requirement is coming
16 specifically from those conditions of approval, just
17 states that there needs to be a reciprocal parking
18 agreement. I think, staff would be a little more
19 compatible with an all-week-long reciprocal parking
20 disagreement. We don't specify in the condition. That
21 could be something that we could look at and have an
22 amended condition there just to make sure that we
23 address that.

24 But based on the parking analysis, it's only
25 during the weekends where it would be necessary.

1 CHAIRMAN VANDERWELL: Commissioner Carey.

2 COMMISSIONER CAREY: Thank you, Madam Chair.

3 So I want to wrap my head around the parking.

4 So code requires 150 spaces. The applicant has

5 submitted a study that says they only need 72 spaces.

6 61 spaces are going to be provided on-site. Okay.

7 MR. CRITTENDEN: Right.

8 COMMISSIONER CAREY: So what is being proposed
9 here is that with -- if they're only allowed to provide
10 61 spaces on-site, when code requires 150, that would be
11 a 66 percent reduction in parking required by code?

12 MR. CRITTENDEN: Essentially.

13 COMMISSIONER CAREY: Okay. And I was --

14 MS. MELBY: Let me. Can I add a comment?

15 COMMISSIONER CAREY: Yeah.

16 MS. MELBY: This is Karen Melby, Development
17 Service Manager.

18 Dottie's Casino operates different than a
19 typical casino. And that's part of the reason why staff
20 felt comfortable in accepting the parking study.
21 Because the restaurant area is not a destination
22 restaurant, like you would have a steak house where
23 people go. The people that are eating in this casino
24 are people who are gambling.

25 And so we felt that it was acceptable to use

1 the standard or base it on how many gaming stations or
2 positions there are, as opposed to where we would
3 have -- and that standard in our code is a typical
4 casino where you have gambling, and then you have
5 destination restaurants, and you have probably a
6 showroom or something like that. That standard is for
7 that, a typical casino.

8 And we felt that this does not fall under the
9 typical type of operation for a casino. And that's why
10 staff was comfortable with accepting the parking study.

11 COMMISSIONER CAREY: Appreciate the
12 clarification. Have we ever approved a deviation from
13 the code for parking to 66 percent?

14 MR. CRITTENDEN: I couldn't speak to whether we
15 ever have. We do allow applicants to use the process
16 for them to submit a parking study. That parking study
17 has the ability to look at their specific requirements.

18 And so there may be scenarios in the past when
19 we would allow that much or more deviation. I couldn't
20 specifically say that we have. But it allows them to
21 specifically look at their use and use their analysis to
22 determine what their actual need is.

23 And so we didn't look at it as -- you know,
24 they're not asking for a deviation on the number of
25 parking spaces allowed. They've submitted an

1 alternative finding of, hey, this is what our actual
2 demand is based on actual observations.

3 COMMISSIONER CAREY: And then two more
4 question, Madam Chair.

5 CHAIRMAN VANDERWELL: Go right ahead.

6 COMMISSIONER CAREY: If I may.

7 CHAIRMAN VANDERWELL: Sure.

8 COMMISSIONER CAREY: How close is the proposed
9 non-restricted gaming use to the multi-family apartments
10 to the south? Because it looked like the site plan --
11 you're saying, with the orientation, there's no -- I was
12 just kind of wondering what that distance is.

13 MR. CRITTENDEN: I don't know that actual
14 setback off the top of my head, but I can have that
15 information put together and make sure we know the
16 actual separation. Well, we'll do the best we can on
17 how far the multi-family is from there, because that's
18 not information we have. But how far they are from the
19 property line and approximated based on the map, we can
20 find out that information and have a close approximation
21 for you.

22 COMMISSIONER CAREY: Are there any -- and, I
23 guess, along the same lines, are there any adjacency
24 standards for casino use adjacent to -- I don't know.
25 If it's called a casino, it's probably, it's probably

1 commercial adjacent to multi-family. But I didn't
2 notice in the conditions of approval if there are any
3 additional landscaping requirements or a sound wall or
4 anything like that.

5 MR. CRITTENDEN: No. The requirements for,
6 essentially, buffering come from our landscaping
7 standards. And they address commercial adjacent to --
8 or residential, non-residential adjacent to residential.
9 And so there would be some, some impact there.

10 There's not a buffering distance. It's a
11 requirement for number of plants that should be planted
12 along there. The existing landscape strip will probably
13 meet that. We don't have a detailed landscaping plan at
14 this point. We have, you know, general landscaping
15 areas that need to be addressed and volumes. And
16 they've shown where those volumes would exist. But the
17 detailed plan would come with the building permits, and
18 we'd be verifying that they have that planning standard
19 made.

20 Looking at what's there, the standard is one
21 tree per 30 feet, one evergreen tree per 30 feet.
22 They've probably got well over that with the existing.
23 We'd be looking for that to be refreshed and, you know,
24 some more stuff happening in there.

25 But it appears that it will meet that standard

1 at this point.

2 COMMISSIONER CAREY: And my last question is,
3 how does a casino meet the goals and policies of the
4 mixed-use district?

5 MR. CRITTENDEN: Goals and policies of
6 mixed-use district?

7 COMMISSIONER CAREY: I'm talking Comprehensive
8 Plan, we have the mixed-use district, commercial, and we
9 have, you know, policies and goals for what we kind of
10 want to see in that. I guess, I'll rephrase the
11 question. How does the proposed conditional use advance
12 the goals and objectives of the mixed-use district
13 planned use?

14 MR. CRITTENDEN: Mixed-use district planned
15 use. I'm not a hundred percent sure I'm understanding
16 what information you're looking for from me. But I mean
17 as far as, you know, addressing like comprehensive land
18 use goals and policies, you know, it -- all right. Let
19 me pull it up.

20 MS. MELBY: The staff report addressed -- Karen
21 Melby, Development Service Manager.

22 The staff report addresses which findings we
23 feel support this project. They are addressed in the
24 staff report.

25 MR. CRITTENDEN: Right, I can give those to

1 you.

2 MS. MELBY: Yeah.

3 MR. CRITTENDEN: I just need to get them in
4 front of me.

5 COMMISSIONER CAREY: And, I suppose, it could
6 be something you could follow up with afterwards.

7 MR. CRITTENDEN: Yeah.

8 COMMISSIONER CAREY: I've kind of taken a lot
9 of time. I'm just kind of -- there's an overlay for
10 mixed-use development. We've zoned this property. We
11 put a land use of mixed-use development we kind of want
12 to see. I'm just kind of curious, with the casino, how
13 does it help advance the mixed-use district?

14 MR. CRITTENDEN: As far as that, to answer the
15 question of how does it advance those, those policies or
16 the goals of the mixed-use district, I mean the impact
17 of increased foot traffic is part of what they're
18 looking for. This will have a 24-hour presence,
19 something to look for.

20 Specifically, the mixed-use district, mixed-use
21 commercial, when it sites its permitted uses, its
22 primary uses, it specifically lists a casino. So the
23 time to ask if casinos are really what you want in the
24 mixed-use district was when that was drafted. And if
25 they're listed there, then staff is in a position to say

1 they're a permitted use in that district, right.

2 UNIDENTIFIED MAN: With a conditional use
3 permit.

4 MR. CRITTENDEN: Specifically, but Goal MG1, we
5 talk about economic vitalities and new commercial use or
6 new non-residential use in the district, in the area.
7 It's an infill project with Goal MG4. And then, also,
8 CF1 just looks for adjacent availability of City --
9 resources is not the right word.

10 CHAIRMAN VANDERWELL: Services.

11 COMMISSIONER SHABAZZ: Infrastructure services.

12 MR. CRITTENDEN: Infrastructure and services.
13 So all those, those are the goals and policies we saw as
14 being met by this.

15 As far as, you know, does it meet the ideal for
16 a mixed use district, I mean that's a hard one to say,
17 that it does everything. Because I mean, if we were,
18 we'd be wanting a mix of commercial and residential this
19 all of these. But that's not a requirement of that
20 district. You can do straight commercial, you can do
21 straight residential, or you can do a mix of the two.

22 And so, as a permitted use inside that
23 district, we would say it meets those, meets those
24 standards by being a permitted use.

25 COMMISSIONER CAREY: Thanks, Ian. Thanks

1 Karen. Thanks, Madam Chair.

2 CHAIRMAN VANDERWELL: Okay.

3 COMMISSIONER SHABAZZ: Madam Chairman, I had a
4 quick question.

5 CHAIRMAN VANDERWELL: Yes, Commissioner
6 Shabazz.

7 COMMISSIONER SHABAZZ: As far as the -- as far
8 as when this was approved as a site for a possible
9 casino, you've already mentioned, what was the time span
10 of that, where it was included into the Comprehensive
11 Plan?

12 MR. CRITTENDEN: The mixed-use district was
13 established -- sorry. I'm looking for that data. I
14 don't have it on the top of my head. I believe, it was
15 2006.

16 COMMISSIONER SHABAZZ: Yeah, I also didn't see
17 it, and I was just wondering.

18 MS. MELBY: Or nine. I think, it was 2009.

19 MR. CRITTENDEN: Nine?

20 COMMISSIONER SHABAZZ: Yeah.

21 MR. CRITTENDEN: And I'll get that date for
22 certain, but it was, it was --

23 COMMISSIONER SHABAZZ: The reason why I'm
24 asking is the adjoining -- well, I wouldn't say it's
25 adjoining. But the actual marina and the plans for the

1 Legends Casino was probably around that same time. And
2 I'm just wondering if this is, you know, at all related
3 to that, because it worked well with also having that,
4 you know, impending as well in an area that's fairly,
5 you know, close proximity.

6 MR. CRITTENDEN: I mean I would say, you know,
7 the Legends Casino is it the destination casino, that
8 Dottie's, essentially, is not. It's more of a locals.
9 So they're really pulling in a different clientele.
10 They've got a different set of amenities that they're
11 trying to offer to people.

12 So, you know, you don't necessarily look at it
13 market research to say whether or not that they can all
14 be --

15 COMMISSIONER SHABAZZ: Well, no, I guess, what
16 I was wondering is, when this was approved as a, you
17 know, possible casino site, was it already on the
18 bought, you know, in the bought plan to have a casino
19 like Legends also coming in there, or not?

20 MR. CRITTENDEN: Yeah, the Legends Casino would
21 have been (indistinct). Right? I mean the Legends
22 handbook was approved prior to this, and that was a
23 potential option there.

24 MS. MELBY: But it was never anticipated that
25 this --

1 MR. CRITTENDEN: But this location --

2 MS. MELBY: It was never just, never
3 anticipated or discussed of a casino on this location.

4 UNIDENTIFIED MAN: Till today.

5 MR. CRITTENDEN: It was just an option.

6 CHAIRMAN VANDERWELL: Anybody else have any
7 questions?

8 I have a really quick question, and I could
9 have overlooked it in the application or the staff
10 report. What are the hours of operation?

11 MR. CRITTENDEN: They're a 24-hour operation.

12 CHAIRMAN VANDERWELL: Okay. Do we have any
13 other establishments in this area that are 24 hours?

14 MR. CRITTENDEN: Not to my knowledge. I did
15 not do a survey of all of the adjacent businesses. But
16 not to my knowledge are any of the other ones 24 hours.

17 CHAIRMAN VANDERWELL: Thank you.

18 Next, we'll move along to PCN18-0005.

19 MR. CRITTENDEN: All right.

20 CHAIRMAN VANDERWELL: Another development
21 agreement, Golden Eagle Regional Park.

22 MR. CRITTENDEN: Yeah, there's been a lot of
23 them lately.

24 CHAIRMAN VANDERWELL: Yeah, there's been a lot.

25 MR. CRITTENDEN: Madam Chairman, members of the

1 Planning Commission, Ian Crittenden, Senior Planner.

2 So this is a request for multiple things: a
3 development agreement, a Comprehensive Plan, or
4 Comprehensive Plan and plan use amendment and a
5 rezoning.

6 We're going to start by talking about the
7 development agreement. But first, I'm going to give you
8 a little bit of background on this.

9 This is a 60-acre parcel. It's also got two
10 two and a half-acre parcels, with a total of
11 approximately 65 acres that the applicant is desiring to
12 build single-family homes on.

13 The land use on this parcel is actually
14 currently very topped up, very -- there's a lot going
15 on. As you can see in this exhibit, there's mixed-use,
16 there's high-density residential, commercial, MF24, open
17 space. There's a bunch of stuff going on. Multifamily,
18 commercial, you know, a lot of things going on.

19 This application is requesting to change all of
20 that to, essentially, IDR, which is an
21 intermediate-density residential land use, and SF6,
22 which is a single-family residential zoning district.

23 The requirement for the development agreement
24 or the requirement, or request from staff for the
25 applicant for a development agreement is due to the fact

1 that the site does not connect on the city road network.

2 You can see here in this exhibit, this red line
3 is the existing access to this property, which goes
4 along. It comes in from Vista onto Homerun, and then
5 turns down Touchdown, and then goes on to this access
6 road that goes to a City maintenance yard or equipment
7 yard, and then continues out, and then comes up to the
8 property.

9 That is on a BLM lease road. And while the
10 City maintains the Touchdown and Homerun portion of that
11 and even the portion that accesses our maintenance yard,
12 it's not technically our street. We have no
13 right-of-way there. We just -- it's part of our
14 agreement with the BLM.

15 And the applicant has a lease agreement to
16 access the property. Along the current red line, their
17 access is the same to get to their property.

18 That causes some problems for the City when we
19 start looking at concurrency of development. And so the
20 development agreement helps us to address those
21 concurrency issues by requiring -- which we wouldn't
22 normally, like at a Comprehensive Plan and rezoning
23 level, we wouldn't be talking about, you know, your
24 access and your City services and infrastructure at this
25 detail. We'd be looking to make sure there was access

1 and so forth, but not this level of detail.

2 But because we don't have -- they don't
3 connect, technically, for our City infrastructure, we
4 had to address it now so that we could show that we had
5 concurrency and we knew how it was going to get the
6 services that needed to be developed.

7 Sorry. I'm just going through my notes. I got
8 a little ahead of myself.

9 So the development agreement addresses a myriad
10 of concerns and so forth. Specifically, Section 3.1
11 talks about the total number of units. It'll be between
12 420 and 475 units, have a density of between 4.6 and 7.3
13 dwelling units per acre. And they are requesting SF6
14 zoning, which is written into the development agreement.

15 Section 3.2 of the development agreement will
16 require that the applicant provide documentation from
17 the BLM that they can access their property for the uses
18 and densities that are contemplated in their proposed
19 development agreement and proposed land use changes.

20 So, right now, that access use, essentially, is
21 written up to look at five-unit, or five-acre parcels,
22 which is what the zoning would allow, the current zoning
23 would allow. And so they need to update that with the
24 BLM. They also need to update the alignment of that.
25 And that's something we worked on with them to address.

1 We required infrastructure as addressed in
2 Section 3.3. They'll be required to provide off-site
3 infrastructure improvements, specifically all those
4 needed for sanitary sewer, which are extensive
5 improvements going up into Wingfield Springs to improve
6 those lines to get this volume of sanitary sewer into
7 our system.

8 Street improvements, specifically those at the
9 intersection of Vista. And this is Homerun this way and
10 Scorpio to the north.

11 They'll also have to provide an all-weather
12 secondary fire access road. Which right now, the
13 proposed alignment of -- I'm not sure where that --
14 unfortunately, I'm not sure where that exhibit is in
15 this pile. But, essentially, it will come in adjacent
16 to the fire station and then come in and run along the
17 north side of this, which is future parks programming,
18 and then along the east side and along the east side of
19 their property. So they'll have to provide that, that
20 road as a requirement for the development agreement.

21 We're requiring that all streets be built to
22 City standard even though those streets will not be
23 taken on by the City. They will all be private streets
24 throughout the development and leading into it. These
25 will continue to be the City streets, but they'll have

1 to improve them to City standards. And then the new
2 alignment for this road that comes in will all have to
3 be built to the same standard.

4 And we won't take any of that. Except this
5 primary access portion, the City, at their discretion,
6 may take that at a future time when programming for this
7 section of the park is done. Because once we have
8 programming there, we'll want to, we want to be in
9 charge of the maintenance and the development or future
10 maintenance of that road and be able to control that
11 road as access to parts of our parks. But until that
12 time, it'll be all on the developer to maintain that.

13 As I mentioned, all internal streets and
14 sidewalks will be maintained by the developer.

15 Prior to the approval of any tentative map,
16 we're also requesting that they -- we're requiring that
17 they provide an assessment to estimate the funds
18 necessary to provide adequate funding to perform said
19 maintenance. Okay. So we're looking for an estimate on
20 what it will cost to maintain their streets internally,
21 and then a plan for how they will generate the funds to
22 maintain that. That kind of allows us some security
23 knowing that they're not going to get neglected and then
24 get turned over to the City at some future date anyway.

25 We're also requiring them to provide pedestrian

1 and bicycle access from this development into Golden
2 Eagle Recreational -- or Regional Park. I always want
3 to talk about the regional park instead.

4 But the thought behind that is we all know that
5 Golden Eagle Regional Park is very loud, very bright,
6 and is, can be at certain times kind of a poor neighbor
7 to housing that's close. And we've addressed the
8 requirement for additional landscaping buffer along the
9 west side of the development to try to do what we can to
10 reduce that.

11 We know that we get complaints from time to
12 time out of The Foothills area here, and they're all
13 further away than anybody will be in this development.
14 But since the park's there, we figured they should know,
15 to some degree, what's coming. And then we do what we
16 can to mitigate some of those, some of those impacts.

17 But the thought process is, if you're going to
18 be that close, you have to deal with the light and sound
19 coming out of it. You should have the best access
20 possible to get into that park and use it as much as you
21 can. You know, kind of offset some of those, those down
22 sides with the best upsides you can get, which is easy
23 access and being really close to a great facility.

24 And so we've asked them to develop pedestrian
25 and bicycle access. But we don't want parking and

1 driving access directly over, because we know that'll
2 cause a conflict when the park's being used to get into
3 the neighborhood, so. So there's those concerns that
4 kind of are addressed by just going with pedestrian and
5 bicycle connections.

6 So, in addressing the development agreement
7 specifically, staff finds that the development agreement
8 is consistent with the Comprehensive Plan, because the
9 development agreement obligates the developer to certain
10 improvements that help it meet the concurrency
11 requirements that come out of the Comprehensive Plan and
12 the Regional Plan.

13 Going on to the Comprehensive Plan land use
14 amendment, as we could see, the existing land use that
15 was approved was approved. And then there was a plan
16 development handbook that was started, but it was never
17 even officially turned in to the City. It was never
18 applied for. It kind of fell apart.

19 We know that these uses are very intense. In
20 fact, they're more intense than what's being requested.
21 And so the applicant no longer believes that that's a
22 viable development plan. The City concurs. And so from
23 the standpoint of what's existing, what's currently
24 existing, what's currently approved now, we feel that
25 what's being requested is far more compliant or far more

1 in conformance than what's currently there.

2 Just to give you an idea of the land uses we've
3 got, we've got 6.26 acres of commercial, 15.57 acres of
4 MF24, which is our lowest density multi-family zoning
5 district; 18.56 acres of high-density residential.
6 Sorry. That's our highest. That's 24-plus units per
7 acre. 8.12 acres of open space, 5 acres of large lot
8 residential, and 11.4 acres of mixed-use. And that
9 mixed-use is a commercial mixed use. It's not really
10 like our mixed-use district where it's a housing and
11 stuff. It's more, it's a little odd, but it exists in
12 some of our plan developments where it's a more of a
13 commercial mixed-use of office, commercial, and like
14 that.

15 So that existing land use would allow
16 commercial zoning and development as well as densities
17 well over 24 units per acre adjacent to, you know, the
18 park and in close proximity to some very large lot
19 residential stuff that's actually out in the county.

20 The housing to the north is far more consistent
21 with what's being requested than what is currently
22 approved.

23 As Karen mentioned, we're going to read all of
24 the findings into the record on Thursday. But staff
25 does believe that the what's being requested as far as

1 the Comprehensive Plan land use amendment is compatible
2 with the adjacent, essentially, park, even though we
3 know that Golden Eagle is a more intense park than you
4 would, say, at a neighborhood park and so forth. It is
5 still a park, and adjacency to residential is
6 compatible.

7 And then, finally, the last request is for the
8 rezoning. All of these things we've talked about have,
9 essentially, been kind of leading up to the fact that
10 SF6 is a logical zoning district for the Comprehensive
11 Plan land use that they're asking for. It's a compliant
12 land use that way. It's also, again, residential
13 adjacent to a community facility park area and some
14 larger lot residential here. And the open space of the
15 BLM, which doesn't really have a designation along those
16 lines, but.

17 So all of those would be compatible uses
18 adjacent to simple fame residential. So, again, we'll
19 read those findings in on Thursday. But staff feels
20 that those findings can also be made.

21 I think, that's going to be the end of my
22 presentation. It's gone on long enough. If you've got
23 any questions, please feel free to ask me. You may be
24 better off answering them that way than trying to give
25 you all of the details here.

1 CHAIRMAN VANDERWELL: Any questions,
2 Commissioners?

3 MS. MCCORMICK: Ian, could you briefly discuss
4 the discussion you had with the applicant yesterday out
5 there.

6 MR. CRITTENDEN: Oh. Sure. Sure.

7 COMMISSIONER READ: About their concerns.

8 MR. CRITTENDEN: So the applicant has some
9 concerns about the impacts a third-party review is going
10 to have on their development plan. So the current
11 development plan will be for a very basic gridded street
12 system inside the development and a prior access road
13 that comes along this outside edge.

14 The outside agencies they're concerned about
15 is, one, the BLM, so the BLM can say whatever they want
16 about the street and how it comes through there.

17 CHAIRMAN VANDERWELL: Yeah.

18 MR. CRITTENDEN: But more specifically, this,
19 this route takes them through a floodplain area. And so
20 they'll have to get --

21 CHAIRMAN VANDERWELL: FEMA.

22 MR. CRITTENDEN: -- FEMA approval.

23 CHAIRMAN VANDERWELL: Yeah.

24 MR. CRITTENDEN: -- with flow marks and low
25 marks to adjust, so that that road stays out of the

1 floodplain. Because there's a fire and emergency access
2 road that they have to have emergency access even if the
3 emergency's a flood or whatever it may be. It's also an
4 evacuation road. If something were to happen, fire,
5 wildfires going, that could also double as an evacuation
6 route for these people.

7 They had proposed an option where they had
8 hugged the top edge of that, the floodplain, so that
9 they didn't have to go through the FEMA requirements for
10 that road. The problem is, from the City's perspective,
11 that's all developable land for parks, because you can
12 put flat fields, you could put those in a floodplain and
13 it's fine because they have an impediments to the
14 floodplain.

15 So we still requested they go there. But they
16 thought that between BLM and FEMA, they may have
17 comments back that would adjust their development plan.
18 So what they've requested is that once this goes to the
19 Planning Commission, you know, expecting or assuming
20 that everything is approved, then it'll go to Regional
21 Planning for review of the Comprehensive Plan amendment,
22 and then it would come back to City Council for the
23 rezoning ratification or certification of the
24 Comprehensive Plan, and then the final approval on
25 the -- or not the -- yeah, on -- no, Comprehensive Plan

1 and certification, zoning, and the development agreement
2 would be approved there.

3 They were hoping to, potentially, push that
4 meeting out like maybe one or two meetings, maybe as
5 much as a month, to, hopefully, get those comments back
6 from those agencies. And then, if something needs to be
7 adjusted, that they could be done then and not have to
8 go, potentially, back through all the process.

9 We don't know how that'll work. You don't know
10 what really the impacts of that are. But that's what
11 they've requested. We've looked at it. I talked with
12 Alyson in legal to discuss that. We believe that there
13 wouldn't be any problem with that, that they can't ask
14 for this meeting to be postponed. They couldn't ask for
15 a continuance, because we have certain meeting dates for
16 the Comprehensive Plan amendment. That's the one that's
17 tricky and has the odd timelines attached to it.

18 So, potentially, we could go through and have
19 it all approved. And then, potentially, they may
20 have -- if we just approved at a normal timeline, and
21 they needed to amend something, they would only have to
22 amend the development agreement. But they're hoping to
23 get it all done at once and not have to revisit it. And
24 so they are asking about that. We think it is possible,
25 but that may be something they want to do.

1 Did I address that clearly, counselor?

2 MS. MCCORMICK: I think so.

3 MR. CRITTENDEN: Or thoroughly if not clearly?

4 MS. MCCORMICK: Correct me if I'm wrong. Okay?

5 MR. CRITTENDEN: Okay.

6 MS. MCCORMICK: One of their comments was also
7 that some of the conditions about infrastructure were
8 more appropriate for a tentative map. Would you address
9 that.

10 MR. CRITTENDEN: Sure. So, as I mentioned,
11 normally, a Comprehensive Plan land use amendment and a
12 rezoning would not have the level of detail we're asking
13 for in the development agreement. But it's because of
14 their location and the oddity of not being connected to
15 our system and having weird BLM buffer between us and
16 them.

17 And so, while we understand their comment that
18 most of these would end up in a tentative map, that is
19 where you'd normally see them. But because we need to
20 meet concurrency requirements coming from our
21 Comprehensive Plan and the Regional Plan, we feel like
22 they are very reasonable to be in the development
23 agreement now.

24 So they want to have some additional discussion
25 about that. Whether we'll want to adjust those, we

1 don't know yet. They would have the opportunity, even
2 it was as it is at Planning Commission, they would have
3 the opportunity to propose some changes at City Council,
4 and City Council could accept those changes, probably if
5 staff finds that, you know, some of those changes are
6 appropriate or amenable, too.

7 So we know it's late in the game, but, you
8 know, with the Comprehensive Plan amendment the way it
9 is, we felt like, well, one, it had been noticed when
10 they mentioned it to us, but, also, it needs to happen.
11 That part of it needs to get going. And so the
12 development agreement could get -- all they concurred a
13 month later. That's what it takes to get some of those
14 discussions ironed out, and then address some of those
15 concerns they have with it, whether we change it or not.

16 CHAIRMAN VANDERWELL: Any questions from the
17 Commissioners?

18 I just have a really quick question.

19 MR. CRITTENDEN: Sure.

20 CHAIRMAN VANDERWELL: Is there only one way in
21 and one way out, other than the fire access road that
22 we're requesting?

23 MR. CRITTENDEN: Yes, there is. Staff has
24 looked at this extensively. You may remember from the
25 quarry, we had a very similar kind of situation there

1 and a very similar, you know, way that we addressed it,
2 though. They didn't get a secondary access road. They
3 made a wider road. They do actually have a secondary
4 access road that's got a tipping point for a number of
5 lots. We thought this needs to get done immediately.
6 And so that's the way we're addressing this.

7 Yeah.

8 CHAIRMAN VANDERWELL: But the quarry didn't
9 have private roads, correct?

10 MR. CRITTENDEN: No, it did not, because they
11 could access the City -- they didn't have this BLM
12 buffer --

13 CHAIRMAN VANDERWELL: Right.

14 MR. CRITTENDEN: -- where there's no public
15 roads that connected them. So they were able to get
16 public roads.

17 CHAIRMAN VANDERWELL: Right.

18 MR. CRITTENDEN: You can't create an island of
19 public roads.

20 CHAIRMAN VANDERWELL: Right. Okay.

21 MR. CRITTENDEN: They have to connect to our
22 system.

23 CHAIRMAN VANDERWELL: Okay.

24 MR. CRITTENDEN: And they can't do that in this
25 location.

1 CHAIRMAN VANDERWELL: Okay.

2 MR. CRITTENDEN: Barring some sort of act of
3 Congress.

4 CHAIRMAN VANDERWELL: Perfect. Thank you.

5 Anybody else have any questions?

6 Okay. Thank you.

7 All right. Next, we're going to move on to
8 General Business. PCN18-0032, recommendation of a
9 tentative map.

10 MR. CUMMINS: Madam Chair, Planning Commission,
11 I'm Jonathan Cummins, Assistant Planner.

12 PCN18-0032 is a request for a 39-lot
13 single-family residential subdivision on a site of 5.38
14 acres in size in the SF6 zoning district at the
15 southeast corner of El Rancho and Wedekind.

16 The parcels are outlined in blue. The
17 southwesternmost parcel is church with a large parking
18 lot, and there'll be an easement on the easternmost part
19 of that parcel to allow access into this close
20 subdivision.

21 So the four parcels that exist there now, like
22 I said, the church, the church parcel on the south,
23 there's currently an easement coming from -- there's an
24 easement on the church parking lot for access by
25 residents into the subdivision, in negotiations for a

1 sale and (indistinct) adjustment for that piece into the
2 subdivision (indistinct).

3 On the northwestern corner of the parcel is an
4 emergency access-only gate. And so the residents won't
5 be entering from this southern entrance on Garfield.

6 There's a mix of sizes of parcels from 3,200 up
7 to around 8,000 SF6 zoning district, that would require
8 that the density remain at below 7.3 dwelling units per
9 acre, which it will.

10 So staff believes that we can, that the
11 Planning Commission can make all required findings for a
12 tentative map (indistinct).

13 I'm glad to take questions.

14 CHAIRMAN VANDERWELL: Great. Thank you.

15 Any questions?

16 Commissioner Carey.

17 COMMISSIONER CAREY: Any comments from the
18 public on this one?

19 MR. CUMMINS: No, sir.

20 COMMISSIONER CAREY: Thank you.

21 CHAIRMAN VANDERWELL: Any other questions?

22 Great. Thank you.

23 MR. CUMMINS: You're welcome.

24 CHAIRMAN VANDERWELL: Next, we have PCN18-0034,
25 another tentative map for Windmill Farms Parkway and

1 south of Lazy Five.

2 MR. CRITTENDEN: It's up.

3 MS. MELBY: Oh. Good afternoon. Karen Melby,
4 Development Service Manager.

5 Before you is a tentative map request for 310
6 lots, single-family lots located within Village 9 off of
7 Kiley Ranch North planned development. The site is
8 67.56 acres, and it's zoned new urban district for the
9 Kiley Ranch planned -- well, no, Kiley Ranch North
10 planned development.

11 It's located east of Kiley Parkway.

12 So this is Kiley Parkway. It has to be
13 extended to the north. It would be north of the
14 extension of Windmill Farms and then, also, south of the
15 extension of Lazy Five Parkway.

16 This Village 9 encompasses the entire Phase 7
17 handbook, which we discussed this the first item on the
18 agenda today.

19 CHAIRMAN VANDERWELL: Yes.

20 MS. MELBY: The land use designations in that
21 handbook is Low-Medium Residential, which is, permits 3
22 to 6 dwelling utilities per acre. The gross density of
23 this tentative map is 5.3 dwellings units per acre,
24 complying with the Phase 7 handbook.

25 Then, on March 2018, the City Council approved

1 a tentative map with 20 conditions for a subdivision on
2 this exact same property for 344 single-family lots.

3 The master developer would like to develop this
4 as a gated community with private streets. So they are
5 submitting this new tentative map to address that.

6 The subdivision street network is similar to
7 the previously approved tentative map. With approval of
8 this tentative map, the other one would be superseded.

9 This is the tentative map layout. It's
10 proposed to be developed in three subvillages with an
11 average lot size of 6,235 square feet. It's anticipated
12 that the phasing will be from the south to the north of
13 the project development. And the master developer is
14 planning to provide a private clubhouse for the
15 residents in Village 9, which is that large parcel right
16 here.

17 The master developer is proposing to have gated
18 entrances at Granary Park Avenue, Dabbler Way and Hoot
19 Owl. At June Bug, the gate will be an emergency access
20 only. This is Condition 21.

21 With the installation of the entrance gates,
22 the street network must be privately owned and
23 maintained by an HOA or a subassociation. The
24 subassociation will be responsible for the maintenance
25 of private streets, utilities and recreational

1 amenities.

2 The primary access to the project is Wedekind
3 Road. It intersects with Kiley Parkway, Windmill Farms
4 and Lazy Five Parkway. And this all conforms with the
5 Phase 7 Kiley Ranch North handbook.

6 The roads are designed to handle this traffic
7 that will be generated by this tentative map.

8 The applicant provided a queuing analysis.
9 With the gates, staff was a little concerned about
10 traffic potentially backing up onto the City streets, so
11 we asked for a queuing analysis. In that analysis, the
12 traffic engineer who prepared it recommends that the
13 gates remain open from 4:00 to 6:00 p.m. before queuing
14 out to the surrounding streets.

15 Staff has added this into the planned
16 development handbook, because that's an operational
17 condition which would not apply to a tentative map.

18 We also put the wording in the handbook that if
19 it's not needed, they do not have to remain the gates
20 open. We left it if needed, that terminology.

21 Addressing the -- I think, there's 10 findings.
22 Staff is recommending that they do meet the 10 findings,
23 the tentative map complies with the 10 findings. So
24 staff is recommending approval with 22 conditions.

25 That concludes my presentation. I'm happy to

1 answer questions.

2 CHAIRMAN VANDERWELL: Thank you.

3 Any questions?

4 Commissioner Carey.

5 COMMISSIONER CAREY: Thank you, Madam Chair.

6 So this would, this proposed tentative map
7 would supersede the one we approved a couple months ago?

8 MS. MELBY: That's correct.

9 COMMISSIONER CAREY: Okay. Were there any --
10 and I recall with that tentative map there were some
11 issues with the FEMA mapping. Or am I --

12 MS. MELBY: It's the same thing for this one.

13 COMMISSIONER CAREY: Okay.

14 MS. MELBY: The eastern lots are within the
15 Zone A of the FEMA map, and so they will have to --
16 they are going to go get a low mark, flow mark so that
17 they can (indistinct).

18 COMMISSIONER CAREY: Thank you.

19 CHAIRMAN VANDERWELL: Anybody else have any
20 questions?

21 COMMISSIONER FEWINS: Commissioner Fewins.

22 CHAIRMAN VANDERWELL: Yeah.

23 COMMISSIONER FEWINS: How big, you know, is the
24 roundabout going to be a 150-foot roundabout?

25 UNIDENTIFIED WOMAN: A travel circle.

1 COMMISSIONER FEWINS: A travel circle, yeah.

2 CHAIRMAN VANDERWELL: Any other questions,
3 comments?

4 Okay. Thank you.

5 MR. ERICSON: It's going to be big.

6 COMMISSIONER FEWINS: Good. Good.

7 CHAIRMAN VANDERWELL: There you go. Big
8 enough.

9 MR. ERICSON: Yeah. It's going to be huge.
10 This one's a four-laner.

11 COMMISSIONER FEWINS: Don't want that truck
12 hurting that.

13 CHAIRMAN VANDERWELL: No.

14 Okay. Next, we'll move on to Informational
15 Items.

16 MR. ERICSON: We don't have any.

17 CHAIRMAN VANDERWELL: Thank you.

18 MR. ERICSON: We are fine, Armando. We kind
19 of...

20 CHAIRMAN VANDERWELL: Okay. Public comment.

21 COMMISSIONER READ: They all left.

22 CHAIRMAN VANDERWELL: Yeah, I think, everybody
23 left.

24 Okay. Synopsis of the City Council meeting.

25 MS. MELBY: So on July 9th, there was a public

1 hearing held for the code amendment that you reviewed
2 in, I think it was June, for allowing wineries downtown
3 or in certain districts.

4 COMMISSIONER FEWINS: Urban wineries.

5 MS. MELBY: Urban wineries. And that was
6 approved by the City Council on July 9th.

7 July 23rd, we had two items before City
8 Council. The first one in the afternoon was the
9 annexation for the space port property, that 1.9 acres
10 located at Sullivan and -- was it -- something Ranch.
11 Kelly Ranch Road, I think.

12 MR. CRITTENDEN: Something like that. Across
13 from Sparks Middle, Kelly Ranch.

14 CHAIRMAN VANDERWELL: Yes.

15 MS. MELBY: Yes. That was approved by City
16 Council.

17 The other big item was with the evening
18 meeting, was the development agreement and rezoning
19 request for the Los Altos property to construct 75
20 townhomes. After a long public hearing, the project was
21 approved by the City Council, with Councilperson Bybee
22 voting against it.

23 CHAIRMAN VANDERWELL: Do we know, do we have a
24 time frame when that tentative map is going to come
25 before us? Because that'll be the next, right?

1 MR. CRITTENDEN: We don't at this point.

2 CHAIRMAN VANDERWELL: Okay.

3 MR. CRITTENDEN: Tentative maps do not get
4 publicly -- well, they get publicly noticed, but notice
5 is accomplished as a publication --

6 CHAIRMAN VANDERWELL: Okay.

7 MR. CRITTENDEN: -- of the agenda. So they
8 don't have the same mail-out requirement.

9 CHAIRMAN VANDERWELL: Okay.

10 MR. CRITTENDEN: And so we don't anticipate
11 nearly the same public input from those. They'd have to
12 be watching them pretty close. So they maybe, they
13 maybe could get --

14 MS. MELBY: They'd have to look at their
15 agendas.

16 CHAIRMAN VANDERWELL: Okay.

17 MS. MELBY: To see when it comes on.

18 MR. CRITTENDEN: And they may be and they may,
19 may still come out. But it's far less likely than with
20 stuff where we mail out notices.

21 CHAIRMAN VANDERWELL: Okay. Perfect.

22 Is that it?

23 MS. MELBY: Yep.

24 CHAIRMAN VANDERWELL: For the City Council?

25 MS. MELBY: Uh-huh (affirmative).

1 CHAIRMAN VANDERWELL: Okay. Any comments from
2 the Commissioners?

3 Commissioner Carey.

4 COMMISSIONER CAREY: Madam Chair, I was
5 wondering if I could maybe provide an update on the RRIF
6 tact at Thursday's meeting for the RTC, the Regional
7 Road Impact Fee.

8 CHAIRMAN VANDERWELL: Of course, as long as
9 this moves quickly, yes, you can.

10 COMMISSIONER CAREY: Okay. I was thinking
11 maybe in Committee reports on Thursday.

12 CHAIRMAN VANDERWELL: Sure. Oh, yeah. Of
13 course, we can.

14 COMMISSIONER CAREY: If that's okay with you
15 all.

16 CHAIRMAN VANDERWELL: Yes.

17 COMMISSIONER CAREY: I'll provide a verbal
18 update. We had a meeting recently, and there's a couple
19 updates.

20 CHAIRMAN VANDERWELL: Perfect. Yes.

21 COMMISSIONER CAREY: To get out there for
22 everybody.

23 CHAIRMAN VANDERWELL: Yes, we'd love to hear
24 that.

25 I just have a really quick question. As many

1 agenda items as we had for this meeting, was there any
2 way to split them up between two meeting, or did they
3 all have to come through one meeting?

4 MS. MELBY: We talked about that. And --

5 MR. CRITTENDEN: All of the Comp Plan
6 amendments needed to go to this meeting.

7 MS. MELBY: Comp Plan amendments would have.

8 CHAIRMAN VANDERWELL: Okay.

9 MS. MELBY: Yeah.

10 CHAIRMAN VANDERWELL: Okay.

11 MR. CRITTENDEN: Everything else --

12 MS. MELBY: We could have -- we were a little
13 concerned on the time frames for like the tentative
14 maps. They have a certain number of days --

15 CHAIRMAN VANDERWELL: Okay.

16 MS. MELBY: -- that they have to be heard.

17 CHAIRMAN VANDERWELL: Okay.

18 MS. MELBY: We were cutting it really close, so
19 we bumped them.

20 MR. CRITTENDEN: By the time you're done with
21 that, you know.

22 MS. MELBY: Yeah.

23 CHAIRMAN VANDERWELL: All right. I was just
24 curious, because this was just really heavy.

25 MS. MELBY: Because they were all required that

1 they have to go. I believe, if my memory serves me,
2 it's 45 days.

3 CHAIRMAN VANDERWELL: Okay.

4 MS. MELBY: So from the determination of them
5 being complete, they have to go to a public hearing.

6 CHAIRMAN VANDERWELL: Okay.

7 MS. MELBY: Or a general business item. So
8 that's why they're --

9 CHAIRMAN VANDERWELL: I realize we're having --
10 it's getting busier and stuff like that. This was just
11 really, really a heavy agenda.

12 MR. CUMMINS: I can make mine shorter if you
13 need to.

14 CHAIRMAN VANDERWELL: Okay. You know what, if
15 you guys can do like 20 words or less, we're all good.

16 MR. CRITTENDEN: I apologize.

17 CHAIRMAN VANDERWELL: Yes.

18 MS. MELBY: Yeah, she's not good.

19 MR. CRITTENDEN: I apologize for the length of
20 mine today.

21 CHAIRMAN VANDERWELL: Oh, don't worry. It's
22 quite all right.

23 MR. CRITTENDEN: They are weird and long.

24 CHAIRMAN VANDERWELL: Yes, they are. It's
25 quite all right.

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TRANSCRIPT MINUTES

CITY OF SPARKS PLANNING COMMISSION
MEETING

Thursday, August 2, 2018
6:00 p.m.

City Council Chambers
745 4th Street
Sparks, Nevada

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A P P E A R A N C E S

Commission Members Present:

- Dian VanderWell, Chair
- Scott Carey, Vice Chair
- Mary Brock
- James Fewins
- Frank Petersen (absent)
- Shelley Read
- Karim Shabazz (absent)

Staff Present:

- Alyson McCormick
Assistant City Attorney
- Armando Ornelas
Assistant Community Services Director
- Karen Melby
Development Services Manager
- Ian Crittenden
Senior Planner
- Jonathan Cummins
Assistant Planner
- Amber Sosa
Transportation Manager
- Marilie Smith
Administrative Secretary
Community Services Department

Other Participants:

- Justin Ivory
- Denny Tallman
- Lois Aicholtz
- Cameron Andelin

(continued...)

1 Other Participants (continued):

2 Danielle Donica
3 Chris Moll
4 Robert Bartoo
5 Andy Durling
6 John Krmpotic
7 Severin Carlson
8 Mike Raley
9 Dean O'Conner
10 Brian Newman
11 Greg Evangelatos

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10	of an amendment to the Comprehensive Plan to	
11	change the land used designation from 14.1 acres	
12	of Multi-Family Residential (MF24), 50.9 acres	
13	of Commercial (C), 33.6 acres of Employment	
14	Center (EC), 46.9 acres of Intermediate Density	
15	Residential (IDR) and 13.1 acres of Open Space	
16	(OS) to 19.1 acres of Multi-Family Residential	
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	acres of Employment Center (EC), 54.2 acres of	
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18	approval of a Conditional Use Permit request to	
19	allow for the construction of a new 22.423	
20	square foot casino with a restaurant on a site	
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3	Foothills at Wingfield, LLC, and Albert D.	
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5	Comprehensive Plan to change the land use	
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7	(C), 15.57 acres of Multi-Family Residential	
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	approximately 65 acres of Intermediate	
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13	13. PCN18-0032 - Construction and possible	
14	recommendation of approval of a Tentative Map	
15	request for a 39-lot single-family residential	
16	subdivision on a site 5.38 acres in size in the	
	SF6 (Single Family Residential - 6,000 sq. ft.	
	lots) zoning district located at 3550 and 3650	
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17	14. PCN18-0034 - Consideration of and possible	
18	recommendation of approval of a Tentative Map	
19	request for a 310-lot single-family residential	
20	subdivision within the Kiley Ranch North	
21	Phase 7 Planned Development (Village 9) on a	
22	site approximately 67.56 acres in size in the	
	NUD (New Urban District-Kiley Ranch North)	
	zoning district generally located east of	
	Kiley Parkway, north of Windmill Farms Parkway	
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1 SPARKS, NEVADA, THURSDAY, AUGUST 2, 2018, 6:00 P.M.

2 -oOo-

3 CHAIRMAN VANDERWELL: Okay. I'm going to call
4 to order the Sparks Planning Commission for Thursday,
5 August 2nd.

6 And we'll start with roll call.

7 MS. SMITH: Commissioner VanderWell?

8 CHAIRMAN VANDERWELL: Here.

9 MS. SMITH: Commissioner Carey?

10 COMMISSIONER CAREY: Present.

11 MS. SMITH: Commissioner Brock?

12 COMMISSIONER BROCK: Here.

13 MS. SMITH: Commissioner Fewins?

14 COMMISSIONER FEWINS: Here.

15 MS. SMITH: Commissioner Petersen is absent.

16 MS. SMITH: Commissioner Read?

17 COMMISSIONER READ: Here.

18 MS. SMITH: Commissioner Shabazz is absent.

19 Assistant City Attorney Alyson McCormick?

20 MS. MCCORMICK: Here.

21 MS. SMITH: Assistant Community Services

22 Director Armando Ornelas?

23 MR. ORNELAS: Here.

24 CHAIRMAN VANDERWELL: Okay. Next, public
25 comment. This is for items either on the agenda or not.

1 You have three minutes to speak.

2 Do we have any requests to speak for public
3 comment?

4 MS. SMITH: Not at this juncture.

5 CHAIRMAN VANDERWELL: Okay. Perfect.

6 Next, we'll move along to approval of the
7 agenda.

8 Commissioner Carey.

9 COMMISSIONER CAREY: Madam Chair, I'll make a
10 motion to approve our extended agenda tonight as
11 submitted.

12 COMMISSIONER READ: Second.

13 CHAIRMAN VANDERWELL: I have a first and a
14 second. All in favor?

15 (Commission members said "aye.")

16 CHAIRMAN VANDERWELL: Thank you.

17 Next, we'll move along to approval of the
18 minutes. These are review and approval of the minutes
19 of the July 3rd Planning Commission Study Session. Can
20 I have a motion?

21 COMMISSIONER BROCK: Madam Chair, I move to
22 approve the July 3rd Planning Commission Study Session
23 minutes.

24 COMMISSIONER FEWINS: Commissioner Fewins.
25 Second.

1 CHAIRMAN VANDERWELL: Okay. I have a first and
2 a second. Any discussion?

3 Okay. Hearing none, all in favor?

4 (Commission members said "aye.")

5 CHAIRMAN VANDERWELL: Thank you. Motion
6 carries.

7 Review and possible approval of the minutes of
8 the July 5th Planning Commission meeting.

9 COMMISSIONER FEWINS: Commissioner Fewins. I'd
10 move to approve the minutes as submitted.

11 CHAIRMAN VANDERWELL: Okay.

12 COMMISSIONER BROCK: Second.

13 CHAIRMAN VANDERWELL: Okay. Commissioner
14 Fewins. Commissioner Brock second. All in favor?

15 (Commission members said "aye.")

16 CHAIRMAN VANDERWELL: Thank you.

17 Next, announcements and committee reports.

18 MR. ORNELAS: Madam Chair.

19 CHAIRMAN VANDERWELL: Mr. Ornelas. Thank you.

20 MR. ORNELAS: Madam Chair, we have no
21 announcements or informational items and committee
22 reports.

23 CHAIRMAN VANDERWELL: Great. Thank you.

24 Next, move on to public hearing items. And
25 we'll start with PCN18-0033, consideration and possible

1 action to amend the final handbook for Kiley Ranch North
2 Phase 7.

3 MS. MELBY: Good evening, Planning
4 Commissioners. Karen Melby, Development Service
5 Manager.

6 Before you tonight is an amendment to the Kiley
7 Ranch North final development handbook for Phase 7 to
8 allow private streets on a site that's 67.56 acres in
9 size. The property is zoned New Urban District for the
10 Kiley Ranch Phase 7 handbook. It's located east of --
11 here's Kiley Parkway. This property right here outlined
12 in blue -- east of Highland Parkway, north of Windmill
13 Farms, which is here, and south of Lazy Five Parkway.

14 On December 7, 2017, the Planning Commission
15 reviewed the final draft of the Kiley Ranch North
16 Phase 7 handbook, of which the City Council approved on
17 January 8, 2018.

18 When staff was recording this handbook, we
19 realized that we had not corrected one page in the
20 handbook that we presented to the Planning Commission
21 and the City Council. So on May 14, 2018, the City
22 Council approved an amendment to the subject handbook
23 correcting page -- or figure 2-3 on Phase 7 circulation
24 plan on page 2-9. So before you today is actually your
25 third review of this handbook.

1 The master developer of the Village 9 or
2 Phase 7 is proposing a gated community with private
3 streets, entrance gates and a private community
4 clubhouse. The recorded Phase 7 handbook did not allow
5 for private streets, gates or private recreational
6 amenities.

7 Therefore, the applicant is seeking to amend
8 the handbook to allow private streets, entrance gates
9 and as a development option within this phase.

10 The changes in the handbook are highlighted in
11 yellow, and the deletions are struck out.

12 The only land use in this plan, the only land
13 uses within this final handbook are the Low Density
14 Residential and Open Space. The handbook identifies the
15 responsible parties for maintenance of the private
16 streets, utilities, streetlights, fire hydrants and the
17 common areas.

18 Since the approval of the Phase 7 handbook
19 earlier this year, a tentative map was submitted and
20 approved for 344 single-family lots.

21 To be considered as a separate item tonight on
22 tonight's agenda is a new tentative map with the private
23 streets and utilities, et cetera, for 310 single-family
24 lots.

25 Addressing the modifications of the final

1 handbook per the Sparks Municipal Code Title 20, there
2 are 10 findings.

3 The first finding is A, which consists, this,
4 the plan is consistent or the amendment is consistent
5 with the Comprehensive Plan and Truckee Meadows Regional
6 Plan. The Phase 7 handbook is located within the
7 Truckee Meadows service area consistent with the
8 Regional Plan Goal 1.1.

9 The Phase 7 handbook provides residential
10 densities of 4 to 7.9 units per acre, making it a
11 relatively compact single-family development, supporting
12 Goal MG6.

13 The proposed amendments are to allow private
14 streets which will provide a different type of housing
15 opportunity in the Kiley Ranch North planned
16 development, which supports Goal H1.

17 The subject property is within the City's sewer
18 modeling and traffic studies with this project. It is
19 not expected to exceed build-out assumptions, supporting
20 Policy CF1.

21 Phase 7 preserves the open space and the
22 existing drainage through the property along the eastern
23 portion of this property, which then complies with
24 Policy RC22.

25 Finding B, which is consistent with the

1 surrounding land uses. To the north, south and west of
2 this, of the subject property is the Kiley Ranch planned
3 development. To the east is the Pioneer Meadows planned
4 development. The proposed amendment to the Phase 7
5 handbook does not change the approved land uses, which
6 are consistent with the existing and planned plan uses
7 in the adjacent areas. The proposed changes to the
8 final handbook are to permit gated private streets and
9 will only apply to this Phase 7.

10 Finding C, the fiscally positive to the City
11 for a period of at least 20 years. A fiscal analysis
12 was not required with this application or this amendment
13 since the amendment would not change the permitted land
14 uses. In addition, if some of the Phase 7 streets are
15 private, it will reduce the City's infrastructure's
16 maintenance costs.

17 Finding D, which is furthers the mutual
18 interest of the residents and owners of the planned
19 development and the public. The proposed amendments
20 would allow another choice, a single-family gated
21 community within the Kiley Ranch North planned
22 development. The amendments do not change the land uses
23 or development densities of Phase 7. As discussed above
24 in finding B, the changes are anticipated to have a
25 limited impact on the residents or owners of the

1 properties in the adjacent areas, preserving the
2 integrity of the approved Kiley Ranch North planned
3 development.

4 Finding E will not, this will not impair the
5 reasonable reliance on the residents or the owners
6 within that planned development. The proposed handbook
7 amendments do not change the approved land uses or the
8 development densities. In addition, no development has
9 occurred within this Phase 7. Therefore, there are no
10 property owners.

11 Finding F will not result in changes that would
12 adversely affect the public. The proposed amendments
13 are to allow for a gated community in Village 9. As
14 discussed above in finding B, the proposed changes are
15 anticipated to have limited impact on the residents or
16 owners of the property in the adjacent areas.

17 Finding G, which is consistent with the
18 efficient development and preservation of the entire
19 planned development. The proposed amendments do not
20 change the land use nor the density. Village 9 will be
21 developed as single-family lots, which is consistent
22 with the tentative handbook.

23 Finding H, does not adversely affect either the
24 enjoyment of the land abutting upon or across the street
25 from the planned development. The proposed amendments

1 permit Village 9 to be developed as a gated community of
2 single-family homes, which is anticipated to have
3 limited impact on the adjacent residents.

4 Finding I, does not grant solely to confer a
5 private benefit upon any person. The property has a
6 single property owner and simply allows Village 9 to be
7 developed as a gated community, which benefits the
8 future residents within that village.

9 Finally, Finding J, which is public notice.
10 Public notice was published in the Reno Gazette-Journal
11 on July 20th, 2018, and there were 32 property owner
12 notices mailed out within 750 feet of the subject
13 property.

14 To date, staff has not received any phone calls
15 or emails regarding this amendment.

16 That concludes my presentation. I'm available
17 for any questions.

18 CHAIRMAN VANDERWELL: Do any Commissioners have
19 any questions as yet?

20 Okay. This is a public hearing, so I'll open
21 the public hearing.

22 Are there any requests to speak on this agenda
23 item?

24 MS. SMITH: I have none.

25 CHAIRMAN VANDERWELL: Okay. With that, I'll

1 close the public hearing and bring it back to the
2 Commission for any questions, comments, motion.

3 Commissioner Carey.

4 COMMISSIONER CAREY: Thank you, Madam Chair.

5 One of the things staff was following up on the
6 information I had requested at the Study Session, I'll
7 just put on the record, I had asked to see how many
8 private streets, how many miles of private streets would
9 be within this phase of the development. And it turned
10 out to be two and a half, two and a half miles of what
11 would be private streets within that.

12 So I appreciate staff following up with that.

13 CHAIRMAN VANDERWELL: Okay. Any other
14 questions, comments?

15 COMMISSIONER FEWINS: Madam Chair?

16 CHAIRMAN VANDERWELL: Yes, Commissioner Fewins.

17 COMMISSIONER FEWINS: Commissioner Fewins. I'm
18 ready to make a motion.

19 CHAIRMAN VANDERWELL: Okay.

20 COMMISSIONER FEWINS: I move to forward to the
21 City Council a recommendation of approval for the
22 amendment to the final handbook of Phase 7 of the Kiley
23 Ranch North planned development, PCN18-0033, based on
24 the findings set forth in the staff report.

25 COMMISSIONER BROCK: This is Commissioner

1 Brock. I second.

2 CHAIRMAN VANDERWELL: Okay. I have a first and
3 a second. Any further discussion?

4 Okay. All in favor?

5 (Commission members said "aye.")

6 CHAIRMAN VANDERWELL: Any opposed?

7 Okay. Thank you. Motion carries.

8 Next, we'll move along to PCN18-0017,
9 consideration and possible action, site 4.2 acres
10 located at 7434 Baldwin Circle.

11 MS. MELBY: Good evening. Karen Melby,
12 Development Service Manager.

13 Before you are consideration of a development
14 agreement, I voluntary annexation and rezoning for a
15 property that is 4.24 acres located at 7434 Baldwin
16 Circle, which is located within an island of Washoe
17 County.

18 You can see on the vicinity map it's out here,
19 outlined in cyan. This would be Wingfield Springs Road.

20 The property is bordered on two sides by the
21 City limits. According to Washoe County Assessor's,
22 this website, the single-family home on there was built
23 in 1983.

24 The current property is accessed from easements
25 and not city streets. Which, upon annexation, the

1 property will have to have access from city streets.

2 There are three requests. The first one is the
3 development agreement. The second one is the rezoning.
4 And -- I mean two. I'm sorry.

5 Anyway, during the public noticing process, we
6 did receive notice from a neighborhood, who provided
7 information that the subject property is encumbered by a
8 declaration of restrictions, which these provisions
9 prohibit placing residential structures on lots smaller
10 than 1.8 acres. This restriction would prevent the
11 applicant from developing their subject property as
12 proposed.

13 Accordingly, City staff recommends that the
14 Planning Commission table the item before you tonight,
15 the development agreement, annexation and rezoning
16 request, pending resolution of this legal issue between
17 the applicant and other parties to the declaration of
18 restrictions.

19 Therefore, we are recommending that you table
20 it. And if you would prefer, I could make the
21 presentation, the full presentation on the findings.
22 But since staff is recommending tabling this, I wasn't
23 going to take up of the time.

24 That concludes my presentation. I'm available
25 for any questions.

1 CHAIRMAN VANDERWELL: Thank you.

2 Mr. Ornelas.

3 MR. ORNELAS: Madam Chair, Karen -- if I may
4 ask Karen to also note that we did receive a request
5 from the applicant for tabling the item.

6 MS. MELBY: Yes, we did receive a letter, which
7 I forwarded to you.

8 CHAIRMAN VANDERWELL: Do the Commissioners wish
9 to hear the presentation?

10 Okay. Thank you.

11 With this, this is a public hearing item, and I
12 will open the public hearing.

13 And I have a request to speak. Justin Ivory.

14 And can you please state your name and your
15 address for the record, please?

16 MR. JUSTIN IVORY: Certainly. Justin Ivory. I
17 live at 7481 General Thatcher, which is just to the
18 south of this property we're talking about.

19 If you look at the map, you'll see that all the
20 properties along General Thatcher that butt up to this
21 existing 4-point-whatever-acre parcel are all close to
22 twice the size of the rest of the lots in Wingfield
23 Springs. And they also come with a caveat that you
24 cannot build a two-story house on that side of the
25 street. That was all because of the county that was --

1 the county properties that were there prior to Wingfield
2 Springs moving in.

3 So all I would ask is the same rule apply. So
4 if they want to build and subdivide this place -- I
5 understand a 6,000-square-foot lot, you probably
6 couldn't get a house on it unless you did a two-story.
7 But I don't care if they increase the lot size or
8 whatever, but I don't think -- you know, if we're not
9 able to build a two-story house because they didn't want
10 it, I think, it should be what's good for the goose is
11 good for the gander, so.

12 Thank you.

13 CHAIRMAN VANDERWELL: Thank you.

14 Next, we have Denny -- is it Tallman?

15 MR. DENNY TALLMAN: Yes.

16 CHAIRMAN VANDERWELL: Then, also, again, state
17 your name and address.

18 MR. DENNY TALLMAN: Sure.

19 CHAIRMAN VANDERWELL: Thank you.

20 MR. DENNY TALLMAN: Denny Tallman. I live at
21 7489 General Thatcher Drive, which is, again, just to
22 the south of the property we're talking about.

23 And I was one of the very first people in
24 Wingfield Springs. And this project, when Wingfield
25 Springs was going several years ago, was protested very

1 much by these exact same people that are looking to
2 subdivide.

3 And I'm in the construction business. I'm all
4 for growth. I appreciate growth. But, as Justin said,
5 when we have certain setback rules, certain minimum
6 square feet on our lots, if that's the case, they want
7 to subdivide, they should have to do the same thing,
8 because we abided by their protests 15 some odd years
9 ago.

10 So all I'm asking is -- again, I'm not opposed
11 to growth, but they should have to abide by the same
12 rules they asked for 15 years ago. And it's minimum, I
13 believe it's one-half-acre lots on our street now.
14 There's not a house -- or not a lot less than a half
15 acre on all of General Thatcher.

16 That's all I have.

17 CHAIRMAN VANDERWELL: Thank you.

18 Okay. Lois, and I apologize.

19 MS. LOIS AICHOLTZ: It's all right.

20 CHAIRMAN VANDERWELL: You'll have to pronounce
21 your last name, because I don't want to butcher it.

22 MS. LOIS AICHOLTZ: Hello. Thank you for the
23 opportunity to speak.

24 CHAIRMAN VANDERWELL: Thank you.

25 MS. LOIS AICHOLTZ: I live at 7495 Wingfield

1 Springs Road.

2 CHAIRMAN VANDERWELL: If you'll put your name
3 on the record, too, that would be great.

4 MS. LOIS AICHOLTZ: Oh. Lois Aicholtz,
5 A-I-C-H-O-L-T-Z.

6 CHAIRMAN VANDERWELL: Thank you.

7 MS. LOIS AICHOLTZ: Everything from A to Z.

8 We've lived out on Wingfield Springs Road when
9 it was Spanish Springs Road. And we all, the people who
10 were out there, all 13 of us, moved out there because we
11 enjoyed that rural lifestyle.

12 Granted, things have changed considerably.
13 However, I think that to keep with the tone of the
14 people from General Thatcher and our properties, which
15 are considerably larger in the county, their main
16 request would be to have their lots in this development
17 be 10,000 square feet minimum. And it would make for a
18 nicer development for them, and it would be just as
19 productive for the landowner.

20 Will the egress and ingress be off of Wingfield
21 Springs into this property?

22 CHAIRMAN VANDERWELL: Ms. Melby, she's shaking
23 her head yes.

24 MS. LOIS AICHOLTZ: Pardon me?

25 CHAIRMAN VANDERWELL: Staff is shaking her head

1 yes.

2 MS. LOIS AICHOLTZ: Oh, okay. And it will be
3 City water and sewer?

4 CHAIRMAN VANDERWELL: Karen is, staff is saying
5 yes.

6 MS. LOIS AICHOLTZ: Okay. This was what I'm
7 concerned. And so we appreciate your listening to our
8 opinions. Thank you.

9 CHAIRMAN VANDERWELL: Thank you.

10 With that, are there any other requests to
11 speak on this item? If you didn't sign in, if you'd
12 like to, you're welcome to come up and speak.

13 Okay. With that, I'll close the public hearing
14 and bring it back to the Commission.

15 Commissioner Carey.

16 COMMISSIONER CAREY: Sure. I certainly
17 appreciate the public comment and the battle with the
18 background on this, on this project. I'd encourage
19 maybe staff to maybe look in to see if there's any
20 documentation or any kind of record about, you know, the
21 lot sizes and restrictions from the previous
22 development.

23 But with that, I concur with the applicant's
24 request to table this.

25 I would make a motion to table consideration of

1 the proposed development agreement, DA18-003, associated
2 with PCN18-0017.

3 COMMISSIONER READ: Commissioner Read. Second.

4 CHAIRMAN VANDERWELL: Okay. I have a first and
5 a second. Any furthers discussion?

6 Okay. All in favor?

7 (Commission members said "aye.")

8 CHAIRMAN VANDERWELL: Okay. Thank you. Motion
9 carries.

10 COMMISSIONER CAREY: And, Madam Chair, I would
11 like to make a motion to table consideration of the
12 proposed annexation request AX18-001, associated with
13 PCN18-0017.

14 COMMISSIONER FEWINS: Commissioner Fewins.
15 Second.

16 MS. MCCORMICK: Oh.

17 CHAIRMAN VANDERWELL: Yes.

18 MS. MCCORMICK: Madam Chair, Alyson McCormick,
19 for the record.

20 The annexation and rezoning do require separate
21 public hearings as well.

22 CHAIRMAN VANDERWELL: Okay. Oop. Thank you.

23 All right. I'll open the public hearing for
24 the annexation.

25 Is there any request to speak?

1 MS. SMITH: I have none.

2 CHAIRMAN VANDERWELL: Okay. I'll close the
3 public hearing and bring it back for a motion.

4 Commissioner Carey.

5 COMMISSIONER CAREY: Thank you, Madam Chair.

6 I move to table consideration of the proposed
7 annexation request AX18-001, associated with PCN18-0017.

8 COMMISSIONER FEWINS: Commissioner Fewins.
9 Second.

10 CHAIRMAN VANDERWELL: I have a first and a
11 second. Any further discussion?

12 Okay. Hearing none, all in favor?

13 (Commission members said "aye.")

14 CHAIRMAN VANDERWELL: Thank you.

15 Commissioner Carey.

16 COMMISSIONER CAREY: Another public hearing.

17 CHAIRMAN VANDERWELL: Oh. Open the public
18 hearing for RZ18-0002.

19 Any requests to speak?

20 Okay. Hearing none, I'll close the public
21 hearing.

22 Commissioner Carey.

23 COMMISSIONER CAREY: Thank you, Madam Chair.

24 I move to table consideration of the proposed
25 rezoning request RZ18-002, associated with PCN18-0017.

1 COMMISSIONER BROCK: Commissioner Brock.

2 Second.

3 CHAIRMAN VANDERWELL: Okay. I have a first and
4 a second. Any further discussion?

5 Okay. All in favor?

6 (Commission members said "aye.")

7 CHAIRMAN VANDERWELL: Any opposed?

8 Okay. Thank you. Motion carries.

9 Next, we'll move along to PCN17-0053,
10 consideration and possible action, amendment to
11 Comprehensive Plan to change the land use designation.

12 MS. MELBY: Good evening. Karen Melby,
13 Development Service Manager.

14 Before you is a Comprehensive Plan amendment to
15 change the land use designation for a property located
16 in what we're calling Stonebrook West. It's the western
17 portion of the Stonebrook planned development.

18 You can see the boundary of the Stonebrook
19 planned development is outlined in red here. And this
20 kind of purplish-red color, lavender, I guess, would be
21 the property that's under the subject property today, or
22 subject area.

23 The proposed Comprehensive Plan amendment
24 covers the western portion, which is approximately 167
25 acres in size, of the Stonebrook planned development.

1 The portion under this request is designated Commercial,
2 Business Park, Single-Family and Multi-Family
3 Residential uses.

4 The Stonebrook planned development consists of
5 approximately 610 acres and was approved for 2,135
6 dwelling units, 50 acres of Commercial, 33.6 acres of
7 Business Park.

8 The City Council approved the Stonebrook Final
9 Design Standards and Regulations on April 24, 2006.

10 To date, there are two subdivision maps that
11 have been approved by City Council on the eastern
12 portion, over here. You can see some of the lots
13 already built.

14 Phase 1 consisted of 617 single-family lots,
15 which under construction are 218 lots. Phase 2 was
16 approved on March 14, 2018 by City Council for 459
17 single-family lots.

18 The portion of the Stonebrook planned
19 development covered by this Comprehensive Plan amendment
20 consists of four parcels.

21 Woops. Too fast.

22 This is the existing master plan designation
23 map. On this map, there are 14.1 acres of
24 Multi-Family 24, 50.9 acres of Commercial, 33.6 acres of
25 Employment Center, 46.9 acres of Intermediate Density

1 Residential, and 13.1 acres of Open Space.

2 This is the proposed master plan amendment.
3 The applicant is requesting to amend the land use map to
4 have 19.1 acres of Multi-Family 24, 38.6 acres of
5 Commercial, 33.6 acres of Employment Center, 54.2 acres
6 of Intermediate Density Residential, and 13.1 acres of
7 Open Space.

8 The proposed request does not change the number
9 or type of land uses. The applicant's request proposes
10 to relocate these land uses. The proposed changes are,
11 in part, because the applicant is interested in creating
12 a multi-family, a larger multi-family development which
13 is not split by the drainage channel, or Reach 4.
14 Relocating the multi-family more central results in
15 needs of shuffling some of the other land uses.

16 If the Comprehensive Plan land use amendment is
17 approved, the Stonebrook Final Design Standards and
18 Regulation, which is the handbook for Stonebrook, will
19 need to be amended to reflect the approved land use
20 pattern before any development can occur on this
21 property.

22 Addressing the findings. Finding CP1, which is
23 conformance with the Regional Plan. Complying with Goal
24 1.1, the subject property is located within the City of
25 Sparks limits, and a portion of it is in the Truckee

1 Meadows service area.

2 The Stonebrook planned development is located
3 in Impact Fee Service Area Number 1 and has been
4 included in the City's utilities and facilities plans.
5 The Stonebrook is, however, located outside of the
6 6-minute response time for the Sparks Fire Department
7 and emergency medical response. However, the Fire
8 Department can request inclusion of this area into the
9 mutual aid agreement with the Truckee Meadows Fire
10 Protection.

11 So based on this, staff is of the opinion that
12 this request complies with the regional goal 3.5.

13 Finding CP2, which is the implementation of the
14 Sparks Comprehensive Plan. The proposed land use
15 changes increases the exposure to Pyramid Highway for
16 the commercial land use, and the new configuration of
17 the employment center provides more flexibility while
18 integrating it into the commercial land use area.

19 For these reasons, the proposed amendment is
20 consistent with goal MG1 for providing nonresidential
21 land use, Goal MG2 for fostering diversity and land use
22 mix, and Policy MG1 for a diverse and integrated mix of
23 residential and nonresidential land uses.

24 The increase in MF24 and IDR support goals H2
25 and Policy H2 by combining additional lands for two

1 different types of housing to meet the high demand for
2 housing in this region.

3 Policy MG5 requires a fiscal impact analysis.
4 The submitted fiscal impact analysis and update letter
5 concluded that the development will produce a revenue
6 surplus to the City's General Fund of \$7.6 million over
7 the initial 20-year period. The property is estimated
8 to generate \$2 million in revenue for the City's Road
9 Fund, with estimated expenditures of \$8.6 million, for a
10 deficit of \$7.6 million over the 20-year renew period.
11 Combining the negative Road Fund and the net positive
12 General Fund, this project would produce a positive
13 impact off about a million dollars over a 20-year
14 period.

15 Supporting Policy MG5(b) and Policy CF1, the
16 Stonebrook planned development was approved in 2006 and
17 has been included in the infrastructure planning for
18 this region and is part of IFSA Number 1. As the
19 development occurs, impact fees will be collected for
20 the sanitary sewer and storm drainage improvements.

21 Finding CP3, which is compatible with the
22 surrounding land uses. The Stonebrook planned
23 development is located in the southeast corner of
24 La Posada Drive and Pyramid Way. This request is to
25 change the land uses on 167 acres of the 610 total acres

1 of the planned development. The intersection of
2 La Posada and Pyramid is a commercial node. To the
3 south is the Tierra Del Sol planned development and the
4 Washoe County Regional Park Lazy Five.

5 Therefore, staff believes that the proposed
6 Stonebrook land use changes will not adversely impact
7 their surrounding land uses.

8 Finding CP4, which is public notice. Public
9 notice was published in the Reno Gazette-Journal on
10 July 20th, 2018.

11 The neighborhood meeting held by the applicant
12 was held on December 4th, 2017, with seven people
13 attending. Those attended expressed concerns about
14 increased traffic on Pyramid and the traffic speeds on
15 Pyramid.

16 That concludes my presentation. And I'd be
17 happy to answer any questions.

18 CHAIRMAN VANDERWELL: Thank you.

19 Any questions yet?

20 Commissioner Carey.

21 COMMISSIONER CAREY: Oh, I could hold on.

22 Sorry.

23 CHAIRMAN VANDERWELL: You'll hold on.

24 COMMISSIONER CAREY: Yeah. Thank you.

25 COMMISSIONER VANDERWELL: Thank you.

1 This is a public hearing. I'll open the public
2 hearing.

3 Are there any requests to speak?

4 Thank you.

5 Cameron Andelin. And if I pronounced your name
6 incorrectly, I apologize. And correct it for me,
7 please. So just state your name and address for the
8 record.

9 MR. CAMERON ANDELIN: My name is Cameron
10 Andelin, 8100 Pyramid Way. Good evening, Commissioner,
11 Planning Commissioners, members.

12 So I'm a neighbor to the east. We have a farm
13 there that we operate. And I just want to go on record,
14 we're not necessarily opposed to development and the
15 property owner's right to develop. But we do want to go
16 on record stating that we have a recorded easement
17 through the subject property that we want to make sure
18 that we're able to maintain and protect. It happens
19 to -- the location of it where it's been used, where we
20 use it, happens to be kind of through the multi-family
21 section part of that.

22 We also have our -- our irrigation water comes
23 from the Orr Ditch that goes through this property. And
24 so we want to make sure that that would be protected.

25 And the last thing I just wanted to go on

1 record about is, should we desire to develop our
2 property, we would want to make sure that our ability to
3 do that is protected and, with this adjacent
4 development, that it wouldn't encumber or prohibit any
5 of our development.

6 Thank you.

7 CHAIRMAN VANDERWELL: Thank you.

8 Okay. Danielle Donica.

9 MS. DANIELLE DONICA: Danielle Donica, 25 North
10 Tropicana Circle.

11 I'm very confused why we're fighting this
12 again, but. I was here in 2006 when we were fighting
13 with the casino.

14 I'm wondering why we want to put up more
15 apartments and more businesses there when we already
16 have horrible, horrible, horrible traffic on Pyramid
17 Highway. And the speed limit was increased to 55, which
18 makes it absolutely impossible for me to not wait about,
19 approximately eight minutes before I turn from Pyramid
20 onto David James to get to my house now, which is
21 already ridiculous, so.

22 She was saying something about you're going to
23 do \$7 million in road construction if this happens. And
24 so my guess is they're going to widen Pyramid, which
25 means more noise for us, because we're the second street

1 off of Pyramid.

2 More lights. The speed limit would have to
3 change. More congestion.

4 I don't understand why we're saying we want
5 apartments out there.

6 And my question -- and I don't know if you guys
7 can answer this. Or maybe you can answer this. What is
8 an employment center?

9 CHAIRMAN VANDERWELL: When you get back up.

10 MS. MELBY: When I get back up there? Oh,
11 okay.

12 CHAIRMAN VANDERWELL: We'll make sure that she
13 asks.

14 MS. DANIELLE DONICA: Okay. And, also, the
15 intermediate density, what that means, what the
16 definition of that means.

17 And our sewer, they're talking about they're
18 going to be on City water. Of course, we're Washoe
19 County. They would be Sparks. And that's how the whole
20 thing started with the casino as well. Our sewer has
21 been put off really 12 years, because we don't have a
22 grant to pay for it, because we have no money, I guess,
23 in Washoe County. But Sparks can have everything else.
24 The new subdivision that was put down at the end of
25 David James, their sewer has all that, all the City

1 stuff. But, we're, again, another island in Washoe
2 County, which gets put off.

3 Thank you.

4 CHAIRMAN VANDERWELL: Thank you.

5 Are there any more requests to speak on this
6 item?

7 MS. SMITH: I have two more, Madam Chair.

8 CHAIRMAN VANDERWELL: Okay. Thank you.

9 Is it Chris Mart?

10 MR. CHRIS MOLL: Moll.

11 CHAIRMAN VANDERWELL: Moll. Go ahead and come
12 on up. If you can please state your name and your
13 address for the record, please.

14 MR. CHRIS MOLL: Chris Moll, M-O-L-L,
15 7310 Aqueen Court. I'm also the president of the HOA
16 for off of Tierra Del Sol there, Serena Springs.

17 And when I think about the time that I've spent
18 and the one question that has come up over and over
19 again, because I've seen this map somewhere before
20 several years ago, but the -- my residents' biggest
21 question is, okay, when are we going to finish Tierra
22 Del Sol? When is that going to wrap around to Dolores?
23 Because the congestion going in and out of there, with
24 the increase in volume of traffic, it's getting ugly.
25 We're going to have to send some ambulances out there.

1 I saw one just coming up here today, all right, where
2 somebody hooked that U-turn at Dolores, and they didn't
3 leave a lot of room for anybody else. It was close.

4 So, you know, to me, that's the big question.
5 When's it going to be built?

6 And, also, what are you going to do with the
7 Orr Ditch? Are you going to bury it? Because I don't
8 see it shown here on any of these maps.

9 Do we have any answer to those questions?

10 CHAIRMAN VANDERWELL: We'll ask staff when they
11 come back up.

12 MR. CHRIS MOLL: Okay.

13 CHAIRMAN VANDERWELL: We're making notes.

14 MR. CHRIS MOLL: Okay. So what do you want me
15 to do next, just sit and wait for my answer?

16 CHAIRMAN VANDERWELL: No. Do you want to
17 finish your testimony?

18 MR. CHRIS MOLL: Well, yeah. It's just like I
19 say. My primary concern and the thing I want to be able
20 to at least get back to the homeowners, including me,
21 is, okay, when are they going to finish that street?
22 Okay. When's it going to, is it going to tie around?
23 And is it going to be done before the development?
24 After the development? Do we have any idea when that's
25 going to be done?

1 So there's also utilities out there that, you
2 know, are already in the ground. And there's just no
3 asphalt running to them. So all that underground work,
4 as far as I can tell, all the way up to the property
5 line, has all been done. So what are we waiting for?

6 CHAIRMAN VANDERWELL: Okay.

7 MR. CHRIS MOLL: Okay?

8 CHAIRMAN VANDERWELL: Perfect.

9 MR. CHRIS MOLL: And that's it. Thank you.

10 CHAIRMAN VANDERWELL: Thank you for the
11 question.

12 Is it Robert -- and what's your last name? I
13 apologize.

14 MR. ROBERT BARTOO: I'm not for or against
15 this.

16 CHAIRMAN VANDERWELL: Oh, I'm sorry, sir. Can
17 you state your name and your address for the record?

18 MR. ROBERT BARTOO: I live at 1186 Hushfield
19 Court.

20 CHAIRMAN VANDERWELL: Okay. And your name?

21 MR. ROBERT BARTOO: Robert Bartoo.

22 CHAIRMAN VANDERWELL: Thank you.

23 MR. ROBERT BARTOO: And I'm not for or against
24 this. But I do have an issue with traffic. And, I
25 think, because you cannot leave my neighborhood safely

1 right now, that that needs to be addressed before we
2 endanger any more of the residents. It's really that
3 simple. If there is a fire anywhere out Pyramid Highway
4 at 5:00 o'clock at night, no one is getting out of my
5 neighborhood, because the traffic just won't let you.

6 I don't care if you extend La Posada out to the
7 new parkway. Without doing something, people are going
8 to get hurt.

9 And I'll leave it at that.

10 CHAIRMAN VANDERWELL: Thank you. Appreciate
11 that.

12 Do we have any more requests to speak on this
13 agenda item? Anybody that didn't sign in that would
14 like to speak?

15 Okay. With that, I'm going to close the public
16 hearing. And Ms. Melby is going to come up.

17 MS. MELBY: Before I address any questions --

18 CHAIRMAN VANDERWELL: Yes.

19 MS. MELBY: -- the applicant would like to make
20 a presentation.

21 CHAIRMAN VANDERWELL: Please.

22 MR. ANDY DURLING: Good evening, Madam Chair.
23 For the record, Andy Durling with Wood Rodgers. Thank
24 you for the opportunity to address you tonight.

25 I just want to address a little bit maybe to

1 share with you maybe the justification, the rationale
2 behind this request. The existing past request
3 designations that's shown on -- oh, sorry. Thank you
4 for the overhead.

5 The existing master plan designations that are
6 shown on the screen are akin to what is approved in the
7 Stonebrook PUD right now. The multi-family, which is
8 located on the lower portion of the site, is bifurcated
9 by Reach 4, which is the green open space area that you
10 see running through that. When the Stonebrook PUD was
11 originally approved, the area just to the north of this
12 was a former Washoe County park. So it sort of made
13 sense from a land use perspective to have the park and
14 multi-family located adjacent to each other.

15 Since that time, Washoe County Parks disposed
16 of that property. It's been rezoned to commercial in
17 the county. It's located in unincorporated county. And
18 as staff mentioned now, that kind of completed all four
19 corners of the La Posada and Pyramid intersection to
20 where you have really a strong commercial node at that
21 location.

22 Looking at that, we then kind of went to
23 another level of analysis on this property to determine
24 what were appropriate land uses at this point in time,
25 now, you know, 15 years later. So what we determined

1 is, you know, commercial makes sense to have that
2 colocated with the commercial at La Posada and Pyramid.

3 We then, at the same time, felt that it was
4 appropriate to have the multi-family as well as the IDR,
5 the other moderate density residential, to also be
6 colocated near the intersection of Dolores and Pyramid.

7 To address maybe Commissioner Carey's comments
8 from the workshop, there was a question about the size
9 of the commercial, is it conducive to big box
10 commercial? Looking at sort of the market as it stands
11 in the area right now, there are, obviously,
12 considerable amounts of commercial to the south of this,
13 the Galleria, as well as the Kiley Ranch, that are
14 conducive to the big box style of commercial.

15 Looking at that kind of saturation as well as
16 just where the retail market is right now, really there
17 is not as much of a need for that large, large
18 commercial. So that's why there's a slight reduction in
19 the commercial area, and you'll see on the map. Now
20 we've concentrated the commercial towards Pyramid in a
21 little bit narrower band. There is still at the north
22 end here some ability to have some larger box, but it'll
23 be a little bit more limited than maybe it was in the
24 past.

25 We then wrapped the employment center, which is

1 the a business park. Primarily, we're anticipating that
2 to be office-type uses. We felt like that was more
3 appropriate off of Pyramid to have that kind of
4 commercial up there. And then buffering the employment
5 center and the multi-family together. Those are
6 compatible uses next to each other.

7 With that, we felt like this was a much better
8 land use at this point in time than what was previously
9 approved.

10 To address maybe some of the public's comments,
11 Mr. Andelin, we are definitely well-aware of the
12 easements that traverse his property, whether to access
13 power. So we are, we've already reached out to him.
14 We've had some meetings. We'll continue to meet with
15 him on what's appropriate to perpetuate as well as
16 possibly relocate.

17 This is sort of a master plan area. You'll
18 note that the extension, Dolores, does go into kind of
19 the greater Andelin farm area. So there are some
20 anticipated connections that we know are kind of on the
21 table. So we look forward to working with him as we
22 continue.

23 To address maybe some of the concerns relative
24 to traffic, we've been working closely with NDOT on
25 this. There will be a number of new intersections

1 colocated with existing intersections at Robert Banks,
2 Dolores, and some of the other roadways that are to the
3 west side. With that, we will be building in additional
4 turn lanes, some medians, things like that, to help with
5 the speeding aspect of those intersections.

6 So with that, I would be happy to answer any
7 questions. And we appreciate staff's comprehensive
8 overview of this and are in agreement with their
9 recommendation.

10 CHAIRMAN VANDERWELL: Okay. Any of the
11 Commissioners have any questions for Mr. Durling?

12 Commissioner Carey.

13 COMMISSIONER CAREY: Thank you, Madam Chair.
14 And thanks for the additional info about the
15 land use changes with the commercial.

16 I'm kind of curious in your opinion, going back
17 to the fiscal impact. So this, essentially, is 12 less
18 acres, give or take, less commercial, and what I
19 envision a multi-family and single-family units on this
20 property. In your experience, is typically reducing
21 commercial land uses and adding more residential land
22 uses, does that create more of a fiscal impact to the
23 City in a positive direction?

24 MR. ANDY DURLING: As far as, you know, when
25 you compare, it happens more just to a certain degree.

1 When you're comparing commercial to multi-family, for
2 example, you're not looking -- you're losing some sales
3 tax potential. But you also don't have -- they're
4 similar in the way that, you know, you're not
5 maintaining streets in a multi-family the same way
6 you're not maintaining streets in a commercial
7 development. Right? Those are private driveways,
8 private parking, things like that. So from that
9 perspective, there's a wash, if you will.

10 The residential is more or less staying the
11 same, the single-family residential, I should correct,
12 is more or less staying the same.

13 I think, really the moral of the story is this
14 area was kind of oversaturated with commercial. We did
15 maintain the employment center in its current acreage.
16 That was a priority for us and for staff. So you'll
17 note that, you know, the employment aspect of this
18 remains the same. So you get benefits from that as far
19 as live, work, and ability to capture trips within the
20 greater Spanish Springs area within the valley itself.
21 So those are all positives.

22 COMMISSIONER CAREY: Okay. Thanks.

23 CHAIRMAN VANDERWELL: Anybody else?

24 I just have a really quick question. Can you
25 maybe drill down a little more on the employment center?

1 So you're going to say, you're saying it's going to be
2 like office, like are you -- dental, just service
3 offices, not a big like (indistinct) or anything like
4 that?

5 MR. ANDY DURLING: So there are a number of
6 uses that are permitted in the business park in
7 Stonebrook, right now, not having those on the top of my
8 head. But we anticipate, just based on the kind of
9 location of this, you're probably going to see something
10 akin to what you see kind of on Sparks Boulevard with
11 the offices and things like that.

12 There may be some opportunities for some kind
13 of larger employers. Not sure what those might be right
14 now. But definitely there is a wide variety of
15 anticipated employers that could come into this area.

16 CHAIRMAN VANDERWELL: Perfect. Thank you.
17 Got any?

18 Oh. Yes, Commissioner Fewins.

19 COMMISSIONER FEWINS: Yeah, Madam Chair.
20 Commissioner Fewins.

21 There were a couple questions about the Orr
22 Ditch.

23 MR. ANDY DURLING: Yes.

24 COMMISSIONER FEWINS: And, I suppose, were YOU
25 thinking about that?

1 MR. ANDY DURLING: Thanks for reminding me. So
2 the Orr Ditch is identified, if you can see my pointer.
3 So this green band, this open space band is the Orr
4 Ditch as it traverses through this portion of
5 Stonebrook.

6 So in the handbook itself, there's a
7 requirement that that effectively becomes an open space
8 corridor with a regional trail. So that is a regional
9 trail corridor. Whether it remains in an open ditch
10 fashion or is piped is kind of up to the landowner and,
11 obviously, working with the Orr Ditch Company on that.

12 So there would be, I would anticipate, probably
13 some piping portions of it as it goes through the site.
14 But at the end of the day, we have to perpetuate the
15 flow of that irrigation water through the site. And
16 over the top of that corridor will be a regional trail.

17 COMMISSIONER FEWINS: Thank you.

18 CHAIRMAN VANDERWELL: Thank you.

19 MR. ANDY DURLING: Thanks.

20 CHAIRMAN VANDERWELL: Thank you, Karen.

21 Do any Commissioners have any questions?

22 Commissioner Carey.

23 COMMISSIONER CAREY: Yeah, a question for
24 staff. Concerning Finding CP2 and use, and staff
25 decided the Comprehensive Plan Goal MG1, and that's

1 support economic vitality by providing nonresidential
2 land use bases. The proposed comprehensive land use
3 change reduces commercial land use. So I was just kind
4 of wondering if you could provide some more information
5 about the application of that policy and how it supports
6 this project.

7 MS. MELBY: I mean it's maintaining,
8 essentially, the same amount of acreage. It's a little
9 bit of a reduction. But staff felt that they still are
10 maintaining the mix of uses. And that's why we felt
11 that we could use that finding, because it still has a
12 mix of residential and the employment center and
13 commercial.

14 COMMISSIONER CAREY: Okay. Thank you.

15 CHAIRMAN VANDERWELL: Karen, I'm just going to,
16 because I wrote it down, a couple of the questions
17 from --

18 MS. MELBY: Uh-huh (affirmative).

19 CHAIRMAN VANDERWELL: -- a couple of the people
20 that asked questions. Can you define what the
21 intermediate density is?

22 MS. MELBY: Intermediate density is
23 single-family residential. It is a density of 6
24 dwelling units to less than 10 dwelling units per acre.

25 CHAIRMAN VANDERWELL: Okay. Thank you. Then,

1 another one of the questions was the finish of Tierra
2 Del Sol to Dolores Drive. Now, I guess, what my
3 question is, is are they in unincorporated Washoe
4 County, or are they within the City of Sparks?

5 MS. MELBY: Tierra Del Sol is within the City
6 of Sparks. That's on the east side of Pyramid.

7 CHAIRMAN VANDERWELL: Okay.

8 MS. MELBY: And that would be part of the --
9 when they built their project, when they start
10 construction, then we would be looking at all those, the
11 infrastructure and those roads.

12 CHAIRMAN VANDERWELL: Okay. Terrific. Thank
13 you.

14 Anyone else have any other questions?

15 COMMISSIONER READ: Yeah. Commissioner Read.

16 CHAIRMAN VANDERWELL: Commissioner Read.

17 COMMISSIONER READ: Yeah, there was one other
18 question by one of the public comments. They were
19 concerned about ensuring that their property could be
20 developed, that this wouldn't interfere in that. Can
21 you address that?

22 MS. MELBY: When, as they start to develop,
23 actually construction this project -- I mean, at this
24 point, we're only at a conceptual level of looking at
25 all this, of land use. But once they start doing the

1 construction, then we make sure that there's -- we keep
2 in mind that they have -- that there are properties to
3 the east to be developed, potentially, in the future.

4 COMMISSIONER READ: Thank you.

5 CHAIRMAN VANDERWELL: Anyone else?

6 Okay. Any further questions?

7 Okay. I will entertain a motion.

8 COMMISSIONER READ: I'll entertain a motion.

9 This is Commissioner Read.

10 I move to approve the request to amend the
11 Comprehensive Plan associated with PCN17-0053 based on
12 findings CP1 through CP4 and the facts supporting these
13 findings as set forth in the staff report.

14 COMMISSIONER BROCK: This is Commissioner
15 Brock. I second.

16 CHAIRMAN VANDERWELL: I have a first and a
17 second. Is there any further discussion?

18 Commissioner Carey.

19 COMMISSIONER CAREY: Thank you, Madam Chair. A
20 couple comments for the record, if I may.

21 CHAIRMAN VANDERWELL: Of course.

22 COMMISSIONER CAREY: I appreciate the
23 additional info from the applicant and staff. I guess,
24 I'm, you know, a little concerned about losing any
25 commercial land use in the city. I think, from a fiscal

1 perspective, there's going to be some impact to the
2 City's budget down the road.

3 But I do concur with the assessment that, you
4 know, the market for commercial real estate in the
5 Spanish Springs valley has changed over the past 12
6 years. And certainly, I think, retail in general, the
7 industry has changed a lot, too. So, you know, I think,
8 it makes sense that the reduction in the commercial land
9 use might make sense.

10 You know, from my estimation, looking through
11 the staff report, it looks like, potentially, we'd be
12 losing 46,000 square feet of commercial land use, or
13 future buildings that could be build on that land use.
14 I'm a little concerned about that. But I do concur and
15 I appreciate the applicant holding on to the employment
16 center land use. I think, that's an important land use
17 to keep.

18 And, I think, that the new configuration
19 should, you know, provide some flexibility and maybe
20 lead to a better development than what was originally
21 proposed.

22 So I would support the motion. I just wanted
23 to put those on the record.

24 CHAIRMAN VANDERWELL: Great. Thank you.

25 Any further comments?

1 COMMISSIONER FEWINS: Yeah. Commissioner
2 Fewins.

3 CHAIRMAN VANDERWELL: Commissioner Fewins.

4 COMMISSIONER FEWINS: Again, if we're
5 rearranging a little bit of -- and I echo Commissioner
6 Carey's concern about taking a little bit of the
7 commercial that was so -- you know, I think, redoing
8 multi-family, getting it more closer to the downtown
9 area is an important piece and we have to do that.

10 I just really want the applicant -- it'll be
11 interesting what they do come up with NDOT, safety on
12 Pyramid Highway and how they can increase the safety for
13 the people that already live there.

14 CHAIRMAN VANDERWELL: Okay. Any other
15 comments?

16 Okay. All in favor?

17 (Commission members said "aye.")

18 CHAIRMAN VANDERWELL: Any opposed?

19 Okay. Thank you. Motion carries.

20 Next, we'll move along to PCN18-0016,
21 consideration and possible approval of a conditional use
22 permit to construct a 22,423-square-foot casino with a
23 restaurant.

24 MR. CRITTENDEN: Sorry. I just closed my
25 attachments.

1 CHAIRMAN VANDERWELL: It's all right. Go
2 ahead.

3 MS. MELBY: Sorry, Ian.

4 MR. CRITTENDEN: No, you had it up, and I
5 closed it thinking that I was closing it then.

6 This will be amended conditions of approval, if
7 you wanted to hand those out. I made 10 copies, so we
8 have one, too.

9 This is a -- Madam Chairman, members of the
10 Planning Commission, Ian Crittenden, Senior Planner.

11 This is a request for a conditional use permit
12 to locate a non-restricted gaming facility in the
13 mixed-use district. The site is located at 1412 and
14 1416 Pullman Drive.

15 As you can see on the vicinity map here, here's
16 Prater and Pullman Drive. This is -- Marina Marketplace
17 is the name of this commercial development. This is the
18 Northern Nevada Career College, and just to kind of give
19 you some orientation.

20 As I mentioned, this is in the mixed-use
21 district. It's in a mixed-use commercial designation
22 within that mixed-use district. In 2017, we approved,
23 or the Planning Commission approved, I should say, a
24 major deviation to address the floor area ratio. And
25 they also approved, you also approved a conditional use

1 permit to allow for a parking facility.

2 This request, if approved, is subject to the
3 conditions of the major deviation. And this request, if
4 approved, will replace or supersede the conditional use
5 permit for that parking facility.

6 This site is the last two undeveloped parcels
7 within the Marina Marketplace, a sub -- or not a
8 subdivision, but a commercial development that was
9 planned and mostly executed prior to the establishment
10 of the mixed-use district. As such, these parcels
11 really weren't oriented and configured for best, best
12 application in the mixed-use district. And that was
13 considered heavily during both the major deviation
14 application and the previous conditional use permit for
15 parking.

16 The applicant intends to relocate an existing
17 non-restricted gaming license that's currently in use at
18 1114 Victorian to this location. That's in accordance
19 with some NRS statutes that allows them to do that
20 within the redevelopment district, that that existing
21 location on Victorian is in the redevelopment district,
22 one, and so is this. And so they are able to move that
23 without having to build the hotel rooms that are
24 typically associated with those non-restricted gaming
25 licenses.

1 Casinos are a permitted primary use in the
2 mixed-use commercial land use district. They are also,
3 the non-restricted gaming facilities are a permitted use
4 in the mixed-use district zoning, subject to a
5 conditional use permit.

6 Conditional use permits, just to remind the
7 Planning Commission and maybe those in the audience that
8 aren't aware, conditional use permits are designed to
9 allow for staff and for the Planning Commission to
10 address impacts of a use that is considered conforming
11 or consistent with the area, but then they have
12 additional impacts that need to be specifically
13 addressed for that, for that use to be continued to be
14 seen as compatible.

15 Staff has identified the following items as
16 identified impacts.

17 The first one is traffic. A traffic study was
18 submitted and recommended additional storage in the
19 storages storage capacity in the left turn lanes going
20 west at Prater and Pullman. So, so here there would be,
21 additional storage capacity would have to be
22 constructed.

23 In the staff report, there's also a right turn
24 lane on Prater going onto Pullman that was going to be
25 required based on the RTP. There's been an update to

1 that RTP, and that requirement is no longer being made.

2 There have been some amendments to the
3 conditions of approval accordingly. That was a
4 condition of approval that had been proposed. Those
5 condition have been handed out.

6 As a point of reminder, when, when and if the
7 Planning Commission recommends or makes a recommendation
8 of approval or approves this project, if it decide to do
9 so, it is nine conditions of approval now and not 10,
10 just for clarity.

11 An additional point of concern that planning,
12 or that staff came across was parking. The applicant
13 has provided a parking study that reduced the required
14 parking from 150 parking spaces, per city parking
15 standards, to 72. And that's based on a study that
16 observed a similar use at a rate of .36 parking spaces
17 per gaming position. The City standard is based on
18 number of square feet.

19 Additionally, staff looked at the APA, American
20 Planning Association's parking recommendations for
21 gaming facilities which referenced the City of Reno, and
22 they would have required 41 spaces. The applicant, in
23 their site plan, has proposed 61 spaces on-site, with a
24 requirement for a reciprocal parking agreement that
25 would have made available an additional 55 parking

1 spaces, which would exceed the 72 total required.

2 Peak parking for this use would be on the
3 weekends, when the adjacent dentist's office would be
4 closed, and so they would not have a conflict of parking
5 at that time. And weekday parking peaks were estimated
6 not to exceed the 61 parking spaces that were provided
7 on-site.

8 The third and last identifying impact from
9 staff was the mixed-use district design standards. The
10 proposed development is in substantial compliance with
11 those design standards, with the exception of the
12 frontage requirement that comes out of the mixed-use
13 district; it does require that 60 percent of the
14 frontage -- that would be the Pullman side of this
15 property -- have building frontage on it, that a
16 building be built adjacent to that roadway. Based on
17 the estimates the applicant has given us, that actually
18 comes out to 59.3 percent, which is less than 1 percent
19 reduction. It actually comes out to be about 1.4 feet.

20 The applicant is intending to seek a minor
21 deviation, which is an administration process, to
22 address that, that minor shortcoming, rather than
23 redesign the building to gain that less than one and a
24 half feet.

25 Conditional use permits do have five findings

1 that are supposed to be made. The first one is Finding
2 C1, which requires compliance with the Comprehensive
3 Plan. Continue to conform with the Comprehensive Plan
4 as they are specifically called out as a permitted
5 primary use.

6 We also found that, staff also believes that
7 Goal MG1 is met by providing a nonresidential land use.

8 Goal MG4 is supported as this is an infill
9 development.

10 And Policy CF1 is supported as City services
11 can be provided at an acceptable level at this location.

12 Finding C2 requires compatibility with the
13 adjacent land uses. A gaming facility is compatible
14 with those uses and zoning use zoning uses in the Marina
15 Marketplace as they are similar in nature, if not in
16 intensity. There are adjacent restaurants and uses that
17 have limited gaming licenses. And so, and unlimited
18 gaming license and restaurants are similar in those use
19 and that compatibility standpoint.

20 The landscape -- or the -- sorry. The adjacent
21 use to the south would be multi-family. This, that will
22 face the back of this building, which will not have any
23 deliveries, and will also have a landscape buffer to
24 separate the residential and nonresidential land uses as
25 required by code. The existing landscaping there will

1 most likely meet that. We'll review that in more detail
2 through the building permit process.

3 There was a question posed at the Study Session
4 about the distance, based on the site plan provided by
5 the applicant. And the best we could do for measuring
6 with a Mac and software is about a 20-foot separation
7 between the back of the casino use and the multi-family
8 buildings. There is about 10 feet on either side of the
9 property line. There's definitely 10 feet on the
10 applicant side. It's approximate on the multi-family
11 side for those, after measuring from the map.

12 Finding C3 requires that the impact on natural
13 resources be addressed. The development of this infill
14 site is not anticipated to have -- to adversely impact
15 the availability of natural resources.

16 Finding C4 requires that the identified impacts
17 are addressed. As mentioned earlier, staff identified
18 three impacts. Those were parking, traffic and the
19 mixed-use district standards. We believe that the
20 conditions of approval that have been proposed would
21 address those identified impacts.

22 And then, finally, Finding C5 requires that
23 proper notice need to be sent. Noticing was published
24 in the Reno Gazette-Journal on July 20th, and notices
25 were mailed to all property owners within 750 feet of

1 this property. Noticing requirements for conditional
2 use permits are actually only 500 feet, but we didn't
3 meet the 30 individual property owners, so we had to go
4 out to 750 to make that, meet that.

5 Staff is recommending approval of this item.

6 I am available for any questions if the
7 Planning Commission has at this point.

8 Oh, and the applicant was -- he's here? Oh, he
9 is here. He wasn't here a little bit earlier. But he
10 would like to make a presentation.

11 CHAIRMAN VANDERWELL: Perfect.

12 MR. CRITTENDEN: After, or before, you know,
13 questions.

14 CHAIRMAN VANDERWELL: We're going to have the
15 applicant come up right now, please.

16 MR. JOHN KRMPOTIC: Hi, Madam Chair,
17 Commissioners. John Krmpotic, KLS Planning,
18 representing the applicant. With me this evening is Sev
19 Carlson. He's an attorney with Kaempfer Crowell. He's
20 been involved in this since day one.

21 I am going to -- you know, I have a lot of
22 detail here. But, I think, staff has hit it pretty hard
23 in terms of the key issues, that being parking, traffic,
24 the end use standards. And I'm not going to be
25 redundant unless you want me to get into the weeds. I

1 was going to go through a few slides here.

2 One thing that I would like to -- let me go
3 through a couple of slides, and then we can get into
4 questions.

5 The key point to the MU -- look at the -- I've
6 pasted in the definition. And if you look at the
7 highlighted portion of that, the regulations create mix
8 of uses with an efficient and compact development
9 pattern that encourages shared parking and economical
10 use of land.

11 So it's key to meeting the purpose of the MU
12 district and what you brought forth here.

13 Site plan. There was a little bit of
14 discussion about this at the Study Session, and that
15 relationship that that landscape offer and that
16 relationship to the multi-family. You notice that the
17 building design intended, as it is, to be a separation
18 between the multi-family. It actually serves as the
19 buffer. It's a solid wall back there. There's no
20 entry, there's no access, there's no loading, there's no
21 anything.

22 So if you think of that between the parking and
23 the multi-family, it becomes very much a screen and a
24 buffer for noise and any activity being loaded entirely
25 on the other side.

1 The other thing you can see there in terms of
2 the reciprocal access -- you know, parking was a real
3 challenge here, and we hit it hard and then did it again
4 and again with the parking consultant. And it became
5 clear that the rate in the code is for something other
6 than this use. It's a hotel-casino with
7 designation-type restaurants. And this is a
8 neighborhood gaming establishment.

9 And so, I think, you know, I'm confident saying
10 that the parking is right, based on this particular user
11 and the level of study we did to get it right based on
12 that number of gaming machines.

13 The other thing that, I think, is important in
14 this process is to look at that reciprocal parking
15 arrangement. Right? We've studied it such that, and it
16 becomes clear that the peak hours identified for the
17 gaming operation are evenings and weekend. And, of
18 course, the dental office is something completely
19 different. So it works very much in symbiotic fashion
20 in terms of the reciprocal use of parking. The last
21 thing you want to see, I think, is -- you know, and it
22 was very resourceful that way, instead of a lot of what
23 would be asphalt otherwise.

24 I think, this came up going back a couple of
25 slides, but in the Study Session as well. You'll look

1 about somebody mentioned how does this advance the
2 intent of the MU district? And if you look at what's
3 going on around this site, you know, you've got,
4 basically, a broad mix of uses in what is the commercial
5 and retail portion, this being the tail end of it, that
6 staff had mentioned.

7 You got 850 units of Park Vista Apartments
8 immediately South. And then this stuff that's going on
9 south and west, 308 units approved and 284 multi-family
10 units under construction. There's going to be a lot of
11 residential that could be feeding into a neighborhood
12 type of casino, some of which, obviously, could be
13 walking there, which supports, again, the MU concept.

14 Also, employment across the street. You know,
15 that's a very broad range of uses, which is part of what
16 you want to see to support and advance the purpose of
17 the MU district.

18 Landscaping, you know, the standards in play,
19 and I'm not going to get into the weeds, again, but this
20 was one where we actually had enough landscaping to meet
21 the code. I'm just showing that it was, I think, about
22 15 percent required of the 17 point something percent
23 that is provided.

24 The challenging standards, you know, there were
25 always a mix in these standards. FAR drives a lot.

1 Right? And so when you're forced to have 37 and a half
2 percent coverage that tracks parking, so we were
3 constantly working to balance the parking and the floor
4 area ratio primarily.

5 There is just a shot showing you a pretty good
6 idea of that screen that's already been established
7 adjacent to the multi-family that also gives you some
8 kind of perspective of what's going on in terms of the
9 broad set of uses in the area.

10 And that's just the master plan.

11 So key issues, again, parking, traffic. I
12 think, we studied them pretty hard. I'd be glad to add
13 any detail the Commissioners might have in question. We
14 support the intent of the MU district. The project
15 complies entirely with the code, with the exception of
16 the 59.3 versus 60 feet, which is actually 99 percent of
17 the standard. And we all agreed, I think, we agreed
18 that it's really not anything that's tangible to meeting
19 or not meeting in this case. It just stuck as a matter
20 of the site constraints.

21 And then, again, the site plan, I think, it's
22 key to note that it's the quiet site of the building is
23 backing up to the multi-family.

24 I have my own analysis of the plannings, but
25 I'm not going to get into that as well. So we'll save

1 it for any questions. Thank you very much.

2 CHAIRMAN VANDERWELL: Thank you.

3 Do any of the Commissioners have any questions?

4 COMMISSIONER READ: I have some questions.

5 CHAIRMAN VANDERWELL: Commissioner Read.

6 COMMISSIONER READ: I have some concerns with
7 the parking. You said that you only needed 72 parking
8 spots because you studied a similar property in southern
9 Nevada?

10 MR. JOHN KRMPOTIC: Yes.

11 COMMISSIONER READ: Why wasn't any studies done
12 in the north of similar facilities? How many Dottie's
13 are up here in the north?

14 MR. JOHN KRMPOTIC: Do you know how many
15 Dottie's in the north, Sev?

16 MR. SEV CARLSON: You know, in terms of
17 Dottie's, they operate both non-restricted. And this is
18 Sev Carlson with Kaempfer Crowell, for the record, on
19 behalf of Nevada Restaurant Services.

20 The corporation owns both restricted and
21 nonrestricted locations, restricted meaning you have 15
22 machines or less, non-restricted meaning you're 16
23 machines or more, under Nevada law.

24 In terms of non-restricted, they operate one
25 coin currently that we want to move to this location.

1 They have a non-restricted license in Carson City, with
2 approximately 35 machines, I believe. And then the
3 balance are restricted locations.

4 So looking at a restricted location isn't
5 apples-to-apples when you're looking at parking. They
6 have a concept in North Las Vegas that's fairly new.
7 It's using the same multi-concept in a non-restricted
8 location. And that's where the parking study is
9 generated. It was compared with customer counts at any
10 given point in time on how many gaming positions are in
11 use at any given period of time in the day. And that's
12 really tracked by the minute, by the half hour, by the
13 hour.

14 And so that information was provided to the
15 traffic and the parking engineers to look at how many
16 people are actually using the facility, and how many
17 trips does that ultimately generate, how many parking
18 spots are actually necessary.

19 COMMISSIONER READ: Okay. Thank you.

20 And then I also had a question. You had
21 mentioned reciprocal parking agreement. Do you already
22 have an agreement with the dental property?

23 MR. JOHN KRMPOTIC: We do not. The agreement is
24 not executed yet.

25 COMMISSIONER READ: Okay.

1 MR. JOHN KRMPOTIC: But we do have, as of --
2 you know, kind of scrambled the last couple days, making
3 sure that we could meet the condition, right, because
4 you've got a third party involved. So, yes,
5 conceptually, it's an agreement.

6 COMMISSIONER READ: Okay.

7 MR. JOHN KRMPOTIC: Yeah.

8 COMMISSIONER READ: Thank you.

9 MR. JOHN KRMPOTIC: Thank you.

10 CHAIRMAN VANDERWELL: Commissioner Carey.

11 COMMISSIONER CAREY: Couple questions for the
12 applicant.

13 Kind of following up on what Commissioner Read
14 was asking about with, with the parking study, I just
15 want to make sure. How many units are -- it's in a
16 North Las Vegas facility. And it's kind of in an
17 existing shopping center, what it kind of looks like.
18 How many gaming machines were at that location?

19 MR. SEV CARLSON: I think, we have
20 approximately 200 gaming positions at that location. So
21 it's very similar to this proposed location with the
22 full fees within the one non-restricted casino.

23 COMMISSIONER CAREY: And I wanted to also ask
24 about -- sorry, I lost my -- I wasn't expecting a quick
25 answer with that.

1 I wanted to, I was wondering if you guys had a
2 copy of the elevations. I had a couple -- and maybe the
3 floor plan, too. I had a couple questions concerning
4 the business offered.

5 MR. JOHN KRMPOTIC: You said floor plan as
6 well?

7 COMMISSIONER CAREY: Yeah.

8 MR. JOHN KRMPOTIC: Sure.

9 Do you have the floor plan as well, Ian?

10 MR. CRITTENDEN: Yeah, I've got everything
11 here. So you just scroll through it. They're all here.

12 COMMISSIONER CAREY: Looking at the staff
13 report from staff, looking, kind of explained to us in
14 the Study Session, one of the key part of the
15 recommendation is that this would be operated as a
16 typical Dottie's, and kind of is more along the lines of
17 a tavern non-restricted gaming use, as opposed to
18 non-restricted gaming use, something similar to the
19 Dottie's facility that you guys -- up on the Hoover dam
20 lodge, I think, one in Mesquite or something like that.

21 I was kind of curious. Based on this floor
22 plan, if you could explain how this, this floor plan
23 kind of works and how it kind of fits in with your
24 typical tavern or more along the lines of a
25 non-restricted, or a restricted gaming use.

1 MR. JOHN KRMPOTIC: I'm going to let Sev take
2 that. He knows the Dottie's operation there. He's been
3 working it for years.

4 MR. SEV CARLSON: Right. So this -- again, Sev
5 Carlson, for the record.

6 So this concept for non-restricted gaming, it
7 is fairly new to Dottie's. It's something that has been
8 overall accepted by the customer base with pretty open
9 arms. And so it's not your, again, traditional resort,
10 hotel-casino destination, restaurant type of
11 non-restricted establishment. But it's also not your
12 traditional restricted tavern, bar, your traditional
13 Dottie's that you see up north, that has 15 machines or
14 less.

15 This concept uses the nonrestricted license to,
16 essentially, here create four themes. And we have
17 locations where we have three themes. And so that could
18 be reminiscent of -- you know, I'm thinking about the
19 Nugget here in Sparks, when you have, you know,
20 different restaurants, different bar themes within it.
21 And we're doing it through a bar theme and through
22 different food service at each theme within the
23 restaurant.

24 So the way that Nevada Restaurant Services
25 works, we have here the Points Casino. We have one

1 that's still to be determined. We're just checking the
2 market on what we want for that, for one of the
3 components of it. We have a Red Dragon component, which
4 is Asian-themed. And we have the Bourbon Street, which
5 is a New Orleans theme.

6 And there's part of it that's gaming. There's,
7 obviously, a part of it that has bar, alcohol service.
8 There's also a component that would be similar to an
9 adult (indistinct) with non-gaming games where patrons
10 can earn, and they still have to be 21, where they can
11 earn drinks through playing those games.

12 So it's a little more comprehensive that way
13 and not just gaming, food, and that way.

14 It's been really fairly popular, having this
15 different option, rather than just having the single
16 theme within one casino. So that's really the modifier.
17 Each themed section has a different menu as well. And
18 we don't have any grease traps, because we don't have
19 any fryers. Everything is finished, prepared in a
20 convection oven, similar to what the Ritz-Carlton uses
21 for its lobster tails and similar to what Starbucks uses
22 for any hot food that you order at the Starbucks. The
23 food is preliminary prepared at the commissary, the
24 corporate commissary. It's packaged. And then it's
25 shipped to each location. And it's finished, when it's

1 ordered by staff, in a convection oven.

2 So that's where we're not a designation-themed
3 restaurant. It's really designed for patrons who want
4 to get a snack with their drink while they're gaming.
5 That's the concept.

6 COMMISSIONER CAREY: Now, thank you, Sev.

7 My last question, Madam Chair, for the
8 applicant.

9 Can we go to one for elevation? I think, it's
10 the south elevation. That one, yeah.

11 So it's, essentially, four different themed
12 casinos?

13 MR. SEV CARLSON: They all --

14 COMMISSIONER CAREY: So each one will have its
15 own entrance, and it's all kind of connected in between
16 like a --

17 MR. SEV CARLSON: Right. So we'll have four
18 entrances from the exterior. And then, once you're in,
19 any of the -- if you were to enter at the Bourbon
20 Street, which is in the center of the figure, you can
21 work your way through all concepts once you're inside.

22 COMMISSIONER CAREY: And the four themes are
23 like Bourbon Street, Red Dragon...

24 MR. SEV CARLSON: Correct.

25 COMMISSIONER CAREY: And what are the other

1 ones?

2 MR. JOHN KRMPOTIC: Points and one, one to be
3 determined.

4 COMMISSIONER CAREY: Okay. So it's not
5 Dottie's?

6 MR. SEV CARLSON: It may be. We haven't made a
7 final decision on that.

8 COMMISSIONER CAREY: Thank you.

9 CHAIRMAN VANDERWELL: Anyone else, any other
10 Commissioners have any questions?

11 Okay. Thank you.

12 MR. JOHN KRMPOTIC: Thank you.

13 MR. SEV CARLSON: Thank you.

14 CHAIRMAN VANDERWELL: Okay. Any questions of
15 staff before I open the public hearing?

16 Okay. This is a public hearing. I'm going to
17 open the public hearing.

18 Do we have any requests to speak?

19 MS. SMITH: I do not, Madam Chair.

20 CHAIRMAN VANDERWELL: Okay. With that, I'll
21 close the public hearing. I'll bring it back to the
22 Commission. Do the Commissioners have any questions,
23 comments?

24 Commissioner Fewins.

25 COMMISSIONER FEWINS: Yeah. Question for Ian.

1 Thank you, Ian. In the staff report, there was concerns
2 about Prater Way on an RTP. And then you said the
3 conditions of approval, that it's got anything that's
4 been an issue along Prater Way. Meaning a couple things
5 in the staff report, that the RTP standards, they
6 recommended a -- I think, a right-hand turn lane. And
7 then the traffic analysis submitted by the applicant
8 also recommended a left-hand lane on Prater Way and
9 Pullman Drive. And then, in the conditions, there's no
10 (indistinct).

11 MR. CRITTENDEN: So, yeah. So condition, it
12 was Condition 8 that did recommend the right-turn lane
13 based on the RTP was removed when we were updated by
14 Amber Sosa, the traffic manager. Maybe it was more
15 specifically saying who, who and when and why some of
16 these things changed. But, essentially, we were updated
17 on which standards to use by the RTP. The new standards
18 no longer require that right-hand turn lane, and so that
19 condition was dropped.

20 Condition on the new set, condition number 8
21 still reflects that the traffic analysis does make
22 recommendations for a left-hand turn lane. We had an
23 update we received today. We have not had time to
24 incorporate that. But we didn't want to specifically
25 cite their older traffic analysis if the new updates are

1 still compliant with current standards. So we left it a
2 little more vague to say, if they've provided a traffic
3 analysis, the City staff is -- agrees that that is the
4 right way to address this. And if it meets City staff,
5 the City Engineer's approval, then that would be what we
6 would require them to do.

7 We haven't had a chance to review that to see
8 if that's the right one. We just didn't want to create
9 a situation where you approved maybe an approval,
10 approving condition that was so specific that to use a
11 different traffic study or an update to that traffic
12 study, we would have to come back to the Planning
13 Commission to do so. So we tried to make a little less
14 specific one with that.

15 MS. SOSA: Madam Chairman --

16 CHAIRMAN VANDERWELL: Of course.

17 MS. SOSA: -- Commissioners, just to provide a
18 little more clarification on that, on an older standard,
19 though, we've got it in the RTP that 90 right-hand in
20 the peak hour, it demanded, or it would call for a free
21 right.

22 Since then, the RTP hasn't updated. With the
23 2040 RTP, they referenced NDOT Office Management. And
24 NDOT Office Management was released in 2017, their most
25 updated version. And that threshold now was 150

1 vehicles making a right turn in peak hour. The current
2 traffic analysis for this project is in the 120 range.
3 So they would not trigger a threshold for that right
4 turn.

5 CHAIRMAN VANDERWELL: Any other Commissioners
6 have any questions?

7 Commissioner Carey.

8 COMMISSIONER CAREY: Thank you, Madam Chair. A
9 few questions for staff.

10 My first question is for legal, Ms. McCormick.
11 So, for the Planning Commission -- and I'm just trying
12 to understand, make sure we're doing this correctly. So
13 we are considering a conditional use permit for a
14 non-restricted gaming use. And we're trying to
15 determine the impacts and if the proposed conditions of
16 approval mitigate those impacts successfully.

17 Are we, in our review tonight, supposed to be
18 looking at a particular business model? And are there
19 any sort of assurances or guarantees that we can place
20 that if the proposed conditional use permit is approved
21 and non-restricted gaming is allowed on this property --
22 because my understanding is entitlements run with the
23 land rather -- is there any kind of assurances that what
24 is approved tonight as a conditional use would stay that
25 way? Along with the answer -- I don't really know if I

1 really got a good question in there.

2 MS. MCCORMICK: Am I understanding your
3 question right if I am interpreting it as referring to
4 not having hotel rooms on this site as would be required
5 with a new non-restricted gaming license?

6 COMMISSIONER CAREY: No, I'm sorry. I jumbled
7 it up in my -- I'll rephrase it, Madam Chair.

8 In our review of the conditional use permit for
9 them, we're not considering the proposed four-themed
10 casino. We're supposed to be reviewing non-restricted
11 gaming use on this site, because that would entitle them
12 to (indistinct) and it could be used by anyone.

13 MS. MCCORMICK: That's correct, as long as they
14 were complying with the condition in that, in those.

15 COMMISSIONER CAREY: Okay. And my second
16 question, is there, are there any kind of restrictions
17 we can place on our approval tonight that restricts the
18 non-restricted gaming use to the proposed square footage
19 that's proposed with this or the type of facility that's
20 proposed in that conditional use?

21 MS. MCCORMICK: Before I answer that question,
22 I'm going to let Ian chime in on my answer to your first
23 question.

24 COMMISSIONER CAREY: Okay. Thanks.

25 MR. CRITTENDEN: So, Commissioner Carey, just

1 to address the conditions of approval, Condition 1 says
2 "This conditional use is approved as submitted and
3 conditioned. Any substantial changes shall require
4 review and amendment of this conditional use permit."

5 That, staff believes that gets us to this
6 approval is for what they're requesting, square footage,
7 building orientation, anything that's substantially
8 similar to that. I mean if there's minor changes, minor
9 elevation changes, staff can make those, those
10 assessments. But any major change that's not in
11 substantial compliance with what they have submitted
12 would require coming back and talking with the Planning
13 Commission again, if they were going to change the
14 square footage, number of gaming positions
15 substantially, any of those kind of things.
16 Specifically because the parking study is based on
17 gaming positions. If that were to change substantially,
18 we would have to, it would have to come back to this
19 body to be reassessed.

20 Did that address some of those questions?

21 COMMISSIONER CAREY: At least, I think, I
22 think, you're getting close. You know, we -- there's
23 the -- last year, this Commission approved a floor area
24 ratio reduction. And the applicant is proposing to use
25 that approved floor area ratio reduction for this

1 facility.

2 So, I guess, what I'm trying to get at is if
3 the Commission approves a conditional use permit for
4 non-restricted gaming use, any operator can come in and
5 operate a non-restricted gaming use.

6 MR. CRITTENDEN: As long as it was
7 substantially compliant with the submitted site design,
8 floor plan, those kind of things, as long as it was
9 substantially consistent with that, it wouldn't
10 necessarily have to be Dottie's or Nevada Restaurant
11 Services, Inc., or the name of the company. It wouldn't
12 necessarily have to be that operator. But they would
13 have to be substantially compliant with everything else
14 that was submitted. Anything outside of that would
15 require a reassessment by the Planning Commission.

16 Major deviations, because they are not
17 specifically -- at least the one that was requested was
18 not specifically addressing site design and so forth.
19 It was specifically addressing just one criteria. It
20 was less specific than this request, which is for a
21 specific use and the submitted site plans and so forth.

22 COMMISSIONER CAREY: Okay. I'm satisfied with
23 that question. I do have a question concerning the
24 parking. So, as I understand it, our City code requires
25 150 parking spaces. The applicant has submitted a

1 parking study that has an alternative parking standard
2 that only requires 72 spaces. 61 spaces are provided
3 on-site. The rest would be covered off-site.

4 So in staff's opinion, that the proposed
5 conditional use is consistent with the surrounding uses,
6 you know, mostly with the reciprocal parking agreement
7 for the dentist, I'm wondering how, in staff's opinion,
8 the proposed conditional uses jives with the career
9 college across the street.

10 And where I'm going with that is one of the
11 things that we've been told tonight, about 120 peak hour
12 trips are going to be driven to this site. We're
13 providing a review to a different parking standard. And
14 we're meeting that parking standard because of the
15 dentist's use when this is -- when the dentist's office
16 would be closed, they could park there.

17 I know that the career college has a lot of
18 night classes going on. I'm just kind of wondering, in
19 staff's opinion, how the proposed conditional use is
20 consistent with the night use across the street.

21 MR. CRITTENDEN: So staff did not look
22 specifically at the parking requirements coming out of
23 the career college. And Amber may need to come up here
24 to correct me if I'm wrong. But the 120 peak hour trips
25 at that intersection are not all generated by this use.

1 That's just that intersection's peak hour trips. Those
2 are going to whenever they're going at that
3 intersection, not necessarily all to this location.

4 As far as, you know, how this use is compatible
5 or consistent with the career college adjacent, they're
6 both located in a mixed-use district that allows both of
7 those uses, is essentially how we looked at it as far as
8 compatibility between those uses. But we did not
9 specifically study their parking demand in connection
10 with this, this use, since this use did provide their
11 own parking study and they were able to show how they
12 could accomplish their parking requirements during their
13 peak usage.

14 CHAIRMAN VANDERWELL: Mr. Ornelas.

15 MR. ORNELAS: Armando Ornelas.

16 I would just add, you know, we, Commissioner
17 Carey, we went back and forth with the applicant on an
18 extended basis regarding the parking analysis. There
19 was a series ever clarifications. There was additional
20 information provided. You can kind of see the record
21 of, you know, information that came, additional
22 information that came in.

23 And, ultimately, we came to the conclusion that
24 we felt that between the combination of the 61 on-site
25 spaces and the condition requiring the reciprocal

1 parking easement with the complementary, from a parking
2 perspective use, to the east and in terms of the
3 Champagne Dentistry, so that this use, use's need for
4 parking could be satisfied on-site and with that
5 condition.

6 I appreciate the concern in terms of the career
7 college. To the extent that that facility is
8 underparked, we didn't -- I don't see where it would be
9 we could justify, you know, requiring, essentially, this
10 site to park at the career college, if you will.

11 CHAIRMAN VANDERWELL: Thank you.

12 Anymore?

13 COMMISSIONER CAREY: One more.

14 CHAIRMAN VANDERWELL: Go right ahead.

15 COMMISSIONER CAREY: And I promise this will be
16 my last one.

17 So getting back to the mixed-use development
18 overlay or zoning and then land use on this property,
19 pursuant to the Comprehensive Plan is mixed-use
20 commercial district primarily coincides with designated
21 activities that should contain a mix of integrated,
22 pedestrian-friendly, and uses such as retail offices and
23 residential.

24 Its development, as I understand it, is
25 emphasized pedestrian comfort and safety and include

1 direct pedestrian bicycle linkages to the adjacent
2 neighborhood. Mixed-use commercial areas should contain
3 a mix of integrated pedestrian-friendly areas such as
4 restaurants, outdoor spaces, plazas and walkable retail
5 streets.

6 How does the proposed conditional use meet the
7 vision of mixed-use development in our Comprehensive
8 Plan?

9 MR. CRITTENDEN: So the requirements for
10 pedestrian connection and so forth have been discussed
11 and met by the applicant in providing pedestrian
12 connection to this location.

13 From the standpoint of, you know, all of the
14 design guidelines and the -- the -- sorry. I'm trying
15 to look for the right way to say this, but. But the
16 overarching theme of what was supposed to happen in the
17 mixed-use district and how it's supposed to develop,
18 none of that specifically calls out casinos. Although
19 we know that casinos tend to have a higher foot traffic
20 and pedestrian impact on the area around them. You can
21 see that in our Victorian Square area and the things
22 that happen there.

23 But specifically we also list as a permitted
24 use in that district that casinos are a permitted
25 primary use in the mixed-use district both from the land

1 use side and from the zoning side. And so from that
2 standpoint, they help further the goals of the mixed-use
3 district by being permitted in this, being that use. If
4 that makes sense.

5 COMMISSIONER CAREY: Fair enough, Madam Chair.
6 Thanks.

7 CHAIRMAN VANDERWELL: Okay. Any other
8 Commissioners have any questions?

9 Entertain a motion.

10 COMMISSIONER FEWINS: Madam Chair.

11 CHAIRMAN VANDERWELL: Commissioner Fewins.
12 Thank you.

13 COMMISSIONER FEWINS: I move to approve that
14 conditional use permit CU18-0007 associated with
15 PCN18-0016, adopting findings C1 through C5 and the
16 facts supporting these findings as set forth in the
17 staff report, and subject to the --

18 MR. CRITTENDEN: Nine.

19 COMMISSIONER FEWINS: -- nine conditions of
20 approval.

21 COMMISSIONER BROCK: This is Commissioner
22 Brock. I second.

23 CHAIRMAN VANDERWELL: Okay. I have a first and
24 a second. Any further discussion?

25 Commissioner Carey.

1 COMMISSIONER CAREY: Thank you, Madam Chair.

2 As you might can tell, you can tell from my
3 line of questioning, I do have a lot of concerns with
4 this proposed conditional use.

5 From talking with some residents and business
6 owners in this area, I think, there's some very series
7 impacts to this, on this proposed conditional use, to
8 the area. I'm very concerned about non-restricted
9 gaming being allowed in a neighborhood and located 20
10 feet away from existing multi-family.

11 You know, I want to support the City's
12 redevelopment efforts, and I want to support the
13 Champagne Dentistry Family and their efforts to develop
14 their property. However, I don't want it to come at the
15 expense of another area.

16 You know, this site, this condition approved a
17 waiver to allow a reduced floor area ratio standard for
18 an office. And that, that project's kind of laid as
19 being applied to this use, which I don't think is
20 consistent at all with the Comprehensive Plan and the
21 vision for mixed-use development.

22 You know, the fact that there's 120 peak hour
23 trips being generated by this proposed conditional use,
24 and we're only providing 61 percent, or 61 parking
25 spaces on-site, that is going to have a huge, huge

1 impact on the adjacent uses. I don't see how it can be
2 mitigated with the proposed conditions in front of us.

3 You know, and this Commission approved the
4 proposed office last year. We also approved a special
5 use permit for parking. I think, at that point, we
6 recognized that there is a parking situation in this
7 area, and it's going to have -- and I don't see how this
8 use will help that. I think, it'll only make it even
9 worse.

10 I appreciate everyone's indulgence on that.
11 But I don't, I don't support the motion.

12 CHAIRMAN VANDERWELL: Commissioner Carey, if we
13 can go back and also correct. This usage is not going
14 to create 120 trips. But it's saying that that's how
15 much goes by there.

16 Amber can come back again. Thank you.

17 MS SOSA: Amber Sosa, Transportation Manager.

18 Yeah, just to clarify, the hundred -- it's
19 actually 150 trips. But that's not just for this usage.
20 That's everything that's being generated going in a
21 south direction being in that.

22 So to say that -- this facility itself, it's
23 not going to be the full 160. So, accordingly, that
24 parking travel easement can't be correlated.

25 I hope that helps.

1 COMMISSIONER CAREY: Thank you for the -- thank
2 you for the clarification. I think, well, maybe the
3 point, I made it incorrectly. The point I was trying to
4 make is that the fact that this triggering improvements
5 to the road, I don't think it's parking enough.

6 COMMISSIONER FEWINS: And Madam Chair?

7 CHAIRMAN VANDERWELL: Commissioner Fewins.

8 COMMISSIONER FEWINS: Commissioner Fewins.

9 And with Mr. Carey's comments, I kind of
10 respectfully disagree that mixed-use, our definition's
11 going to be reciprocal parking. You know, mixed-use, in
12 my opinion, uses others areas for parking. That's why
13 it is MUD, why it is mixed-use.

14 So we have adjacent property owners that do get
15 reciprocal parking agreements. And, I think, that's
16 where I found that I can make this finding, is because
17 you do have -- it is a mixed-use district. By
18 definition, you're probably going to have parking
19 problems. That's why you come up with reciprocal
20 parking agreement and different things to get to that
21 area where you're at. It's kind of, by definition, what
22 a mixed-use development is, so.

23 CHAIRMAN VANDERWELL: Any other comments?

24 Commissioner Carey.

25 COMMISSIONER CAREY: Maybe one comment I forgot

1 to make. And one thing I --

2 CHAIRMAN VANDERWELL: Darn it.

3 COMMISSIONER CAREY: I know. Sorry. I
4 apologize.

5 You know, one thing I'm really concerned about
6 is that this is a proposed single use. It's a very
7 intense use. Don't feel it's appropriate for the
8 adjacent uses. One thing I'm really concerned about,
9 and I would encourage that we take a look at, and maybe
10 the Council as well, too, is that what we're essentially
11 doing tonight, or what our code essentially is allowing
12 for tonight is a 66 percent reduction in the required
13 parking by code on this site. And that it's happening,
14 or so the laws have to be done administratively. I'm
15 very concerned about how that's done.

16 We have a process in our code that allows for a
17 minor deviation administratively, and a major deviation
18 with a public hearing. I feel, if you're going to have
19 a 66 percent reduction of the requirement of code, that
20 should be a major deviation, should require some -- and
21 I'll shut up now.

22 MS. MCCORMICK: Madam Chair, Alyson McCormick,
23 for the record.

24 CHAIRMAN VANDERWELL: Yes.

25 MS. MCCORMICK: I may come to regret it, but

1 I'm going to ask if Commissioner Carey would elaborate
2 on why he views this use as incompatible with the
3 surrounding land uses.

4 COMMISSIONER CAREY: I think, I've heard
5 enough. No, I think, what I'm trying to, trying to get
6 at, maybe unsuccessfully, is, you know, I don't feel
7 it's compatible with the existing uses, because it's
8 going to create a greater impact that cannot be
9 mitigated with the conditions of approval, in my humble
10 opinion.

11 MS. MCCORMICK: Thank you.

12 CHAIRMAN VANDERWELL: Any other comments,
13 questions?

14 Okay. I will -- all in favor?

15 (Commission members said "aye.")

16 CHAIRMAN VANDERWELL: Opposed?

17 COMMISSIONER CAREY: Nay.

18 CHAIRMAN VANDERWELL: Okay. The motion
19 carries.

20 Next, we'll move along to PCN18-0005,
21 consideration and possible action for a site 65 acres,
22 and a development agreement, Comprehensive Plan and a
23 rezoning.

24 Okay. Commissioner Carey, on our last, you can
25 say Commissioner Carey nayed this for -- since we're

1 having it recorded.

2 COMMISSIONER CAREY: Oh, the (indistinct)?

3 CHAIRMAN VANDERWELL: No.

4 COMMISSIONER CAREY: Okay. For the record,
5 this is Commissioner Carey, voting in opposition to the
6 motion that was on the table.

7 CHAIRMAN VANDERWELL: Thank you.

8 MR. CRITTENDEN: Madam Chairman, members of the
9 Planning Commission, Ian Crittenden, Senior Planner.

10 This is, as mentioned, a request for a
11 development agreement, Comprehensive Plan amendment and
12 a rezoning on a site approximately 65 acres in size.
13 The development agreement is primarily there as a way to
14 help make the concurrency findings associated with the
15 development -- or with the -- not the development
16 agreement, but with the Comprehensive Plan amendment and
17 the rezoning, there are concurrency requirements to
18 those.

19 Some background on this site in general. It is
20 an approximately 65-acre site composed of a 60-acre
21 large parcel and then two two-and-a-half-acre smaller
22 parcels.

23 The existing land use, which can be seen here,
24 was approved in 2007. And then the two
25 two-and-a-half-acres to the south, southern part of this

1 were annexed in 2015, and they were rezoned to A-5 at
2 that time.

3 So the DA was requested by staff in order to
4 address concurrency issues with the Comprehensive Plan
5 amendment and the rezoning request.

6 The site does not abut City streets because of
7 the BLM property that is in between the City's property
8 here at Vista, and the site here is all BLM, including
9 the area that is on the City park. It doesn't connect
10 to our City infrastructure. And so we had to provide a
11 way to show concurrency that would show how this area is
12 going to be accessed and how necessary services were
13 going to be provided in a concurrent manner to
14 development of this property.

15 So as you can see in this, this plan, it's
16 showing the existing access to the property here with
17 the red line. So from the intersection of Homerun and
18 Vista, it comes south to the intersection of Homerun and
19 Touchdown and then turns onto an unnamed access road
20 that goes to a City maintenance yard and then continues
21 on and then back onto the property.

22 The applicant is proposing -- this is oriented
23 to the opposite direction. Give me a second. That's
24 the right orientation. Let's zoom in a little bit.

25 The applicant is proposing to access via the

1 Homerun to Touchdown to a new access road which they
2 would construct to access into the property. All of
3 those roads are, essentially, private roads, including
4 the ones that access the City parks. We don't own the
5 right-of-way on those streets because it is over BLM in
6 an easement that we have with BLM.

7 The development agreement helps to allow for
8 many of the concurrency findings to be made.
9 Specifically, the development agreement establishes the
10 nature of the use and the improvements that will be made
11 and the timing for said improvements mainly. It sets
12 the number of units in the development to between 420
13 and 475. It requires documentation from the BLM that
14 the access easement is for the densities described in
15 the development agreement.

16 So the new alignment, as kind of indicated in
17 the blue, will have to be approved by the BLM as well as
18 the intensity of that access easement for the number of
19 lots.

20 The development agreement addresses off-site
21 sewer improvements that will have to be made in order
22 for this site to be viable.

23 It addresses vehicular access improvements,
24 which include an all-weather emergency vehicle access
25 road, which is indicated by this kind of purple thatched

1 line that goes around what will be future programming
2 for Golden Eagle Regional Park, on this kind of square
3 property here. And that will provide emergency access
4 and also provide an evacuation route for this
5 development with wildfires in the BLM area.

6 Also, there will be required intersection
7 improvements at the intersection of Vista and Homerun.
8 There will also be intersection improvements at Homerun
9 and Touchdown. And then, obviously, the new road
10 constructed to access the property.

11 All roadways will be, would be required to be
12 constructed to City of Sparks standards. The
13 development agreement also indicates that all streets
14 and sidewalks will be privately owned and maintained.

15 The City may take ownership and maintenance
16 over of a portion of the primary access road at a time
17 when this area becomes programmed. We will want to be
18 able to control and maintain the road that accesses this
19 part of our programmed park. And so that's also
20 indicated in the development agreement.

21 And, also, the development agreement also
22 requires the documentation of estimates for private
23 street maintenance, estimates for cost of private street
24 maintenance be submitted, and the funding mechanism that
25 will be provided to be able to maintain those roads,

1 prior to any tentative maps being submitted by the
2 applicant.

3 We also require that the developer provide
4 pedestrian and bicycle access to Golden Eagle Regional
5 Park, the Golden Eagle Regional Park.

6 Also, there is a requirement that a minimum
7 25-foot landscape buffer be maintained to help to
8 mitigate the impacts of Golden Eagle Regional Park,
9 which is a louder and brighter park than most
10 neighborhood parks would be. And that may not be able
11 to be completely mitigated, but what can be used, we are
12 requiring that that be done in that 25-foot landscape
13 buffer.

14 Staff views that the DA is, the development
15 area is consistent with the Comprehensive Plan as the
16 development agreement obligates that developer to
17 construct private access infrastructure to a site that
18 does not abut public right-of-way.

19 The development agreement supports and is
20 consistent with the following Comprehensive Plan goals
21 and policies, specifically Policy MG5, that requires
22 that infrastructure facilities and fiscal impacts be
23 addressed, and Policy CF1, which requires that City
24 services be able to be provided at an acceptable level.
25 The development agreement provides for those goals and

1 policies to be met.

2 Staff does recommend that the Planning
3 Commission make your recommendation of approval to the
4 City Council for the development agreement.

5 Moving on to the Comprehensive Plan. Like I
6 said, there are three, three items associated here.

7 So the existing land use on this property, as I
8 mentioned, was approved in 2007. There are, in the see
9 land use of the commercial land use category, there are
10 6.26 acres. The MF24, which is multi-family with 24
11 units per acre minimum, or a maximum of 24 units per
12 acre, is 15.57 units. HDR, which has a minimum density
13 of 24 units per acre, there's 18.56 acres of that. Open
14 Space, there's 8.12 acres. Large Lot Residential,
15 there's five acres. Those are the two lots to the
16 south. And then there is also 11.4 acres of mixed-use.

17 The applicant is requesting to change all of
18 those land uses to IDR, which is Intermediate Density
19 Residential, which allows 6 to less than 10 units per
20 acre.

21 Findings associated with the Comprehensive Plan
22 amendment are CP1, which requires conformance with the
23 Regional Plan.

24 Goal 1.1 of the Regional Plan requires that 99
25 percent of all residential growth and population growth

1 happen in the TMSAs. This is in the City of Sparks
2 TMSA.

3 Also, Goal 3.5 of the Regional Plan requires,
4 essentially, concurrency. And this goal of concurrency
5 is accomplished through the development agreement,
6 addresses those concurrency requirements.

7 Finding CP2 requires that the proposed
8 amendment implementing goals of the Sparks Comprehensive
9 Plan. Again, we cite policy MG5, which requires us to
10 look at infrastructure and fiscal impacts; Policy CF1,
11 which addresses City services; and Goal H2, which
12 addresses the provision of housing and fiscal
13 sustainability.

14 Goal MG5 requires a fiscal impact analysis.
15 The applicant did submit a fiscal impact analysis which
16 shows a \$2.8 million positive impact over 20 years.

17 The development agreement provides for Policy
18 CF1 to be able to be supported in that the provided
19 levels of service can be met.

20 And then Goal H2. This site does propose to
21 build somewhere between 420 and 475 homes and shows a
22 positive fiscal impact, which supports Goal H2.

23 Finding CP3 requires compatibility with the
24 surrounding land use. The surrounding land uses are
25 Open Space, Parks and Large Lot Residential. All of

1 these land uses are compatible with and complementary to
2 proposed Intermediate Density Residential land uses.

3 And Finding CP4 requires proper notice. Public
4 notice was published in the Reno Gazette-Journal on
5 July 20th. And the applicant held a neighborhood
6 meeting on April 4th.

7 And staff is recommending that the Planning
8 Commission approve the Comp Plan amendment request.

9 And then, finally, for rezoning. The site is
10 currently zoned A-5. The applicant is requesting the
11 site be rezoned. All three parcels are currently A-5.
12 The applicant is requesting a rezone to SF6. The SF
13 zoning had fewer permitted uses than the A-5 zoning
14 district, however does allow higher density residential.

15 Finding Z1 requires consistency with the Comp
16 Plan. If the Planning Commission approves the
17 Comprehensive Plan amendment, then this would be in --
18 would be consistent. If the Planning Commission does
19 not approve that, then this would not be consistent and
20 should be remembered when motions are made.

21 Finding Z2 requires consistency with the
22 surrounding land uses. As mentioned in the Comp Plan
23 portion, the surrounding uses are Park, Open Space and
24 large lot residential. Single-Family Residential would
25 be a compatible and complementary use of those uses.

1 And Finding Z3 requires proper notice. Public
2 notice was published in the Reno Gazette-Journal on
3 July 20th. Notice was mailed to all property owners
4 within 2,000 feet. Normal rezoning is 750. But to get
5 to the required minimum of 30 individual property
6 owners, we had to go out to 2,000 feet since most of
7 this is owned by the BLM adjacent to this property.

8 Staff is also recommending the Planning
9 Commission make a recommendation to the City Council of
10 approval of this request.

11 That is the end of my presentation. I'd be
12 happy to answer any questions. The applicant is also
13 here, if you would like to talk to him.

14 CHAIRMAN VANDERWELL: All right. Would the
15 applicant like to come up.

16 MR. MIKE RALEY: Good evening. For the record,
17 Mike Raley with Rubicon Design Group, here representing
18 Discovery Builders. Representatives from Discovery
19 Builders are here with me tonight, along with our
20 project engineer.

21 I think, Ian's staff report is very thorough
22 and he did a very good overview in his presentation.
23 We're simply here to answer any questions you may have.

24 CHAIRMAN VANDERWELL: Okay. Thank you.

25 Any Commissioners have any questions of the

1 applicant?

2 Commissioner Fewins.

3 COMMISSIONER FEWINS: Yeah. Commissioner
4 Fewins. I'd like.

5 In the development agreement that's been -- it
6 was talked about, I was a little bit concerned. Or
7 maybe it's just a statement. East of Golden Eagle
8 Regional Park and then west of this, you're going to
9 have a road. And in the development agreement, there
10 was some going bicycles and pedestrian access to Golden
11 Eagle. And in the development agreement, it says that
12 the master builder shall provide a traffic circulation
13 plan to discourage a (indistinct) regional park. So it
14 gets really busy out there, and then people are probably
15 parking on that road?

16 MR. MIKE RALEY: Right.

17 COMMISSIONER FEWINS: What are you kind of
18 visioning on that?

19 MR. MIKE RALEY: That's something that we'll
20 definitely address on the tentative map. But, I think,
21 we -- you know, there's a variety of ways that we could
22 do that through a final design on the subdivision.
23 We're not quite to that stage yet. But, you know, we
24 can look at ways of incorporating landscaping and
25 (indistinct). I'm aware that we've discouraged people

1 from parking, making it, essentially, inconvenient for
2 them to park there.

3 COMMISSIONER FEWINS: Thank you.

4 CHAIRMAN VANDERWELL: Any other Commissioners
5 have any questions?

6 Okay. Thank you.

7 This is a public hearing. I'll open a public
8 hearing.

9 Do we have any requests to speak on this item?

10 MS. SMITH: I do not, Madam.

11 CHAIRMAN VANDERWELL: Okay. Sir?

12 MR. DEAN O'CONNER: I don't know if you need
13 this or not.

14 MS. MELBY: Yeah, leave it.

15 MR. DEAN O'CONNER: Okay.

16 MS. SMITH: Thank you.

17 CHAIRMAN VANDERWELL: And if you'll just state
18 your name and address for the record, please.

19 MR. DEAN O'CONNER: Sure. It's Dean O'Conner.
20 I live at 4313 Black Hills Drive.

21 I had a few questions. But with when I
22 purchased this house, we looked at multiple homes in the
23 area and chose this house, paid significantly more money
24 simply due to the area, on the south side that was open
25 and the views. So one piece that I've had is that when

1 this new buildings, when the buildings go up, that it's
2 going to significantly reduce the value of my home.

3 And on the other side of that, I'm just really
4 concerned about safety and all the traffic that's out.
5 I have young children that actually go from our house
6 around and over to the park. So I just want to make
7 sure that they would still have access that's safe.

8 And, again, back to the traffic, it's just a
9 pretty big concern, given that the way that they
10 designed it.

11 One question I do have, is this area directly
12 south between Black Hills and the development, that will
13 continue to stay open with the BLM?

14 MR. CRITTENDEN: If you could use the map, sir.

15 MR. DEAN O'CONNER: Certainly. Sorry. This
16 area. That will stay open and it will not be developed?

17 CHAIRMAN VANDERWELL: We'll call staff up.
18 We'll have staff address that question as soon as you're
19 done with your testimony.

20 MR. DEAN O'CONNER: Okay. No problem. Just
21 the point of reduction in value of our home due to the
22 development and the increased traffic.

23 Thank you.

24 CHAIRMAN VANDERWELL: Thank you.

25 Any other requests to speak?

1 Okay. I'll close the public hearing. I'll
2 bring it back to the Commission.

3 Ian, if you could please address his question.

4 MR. CRITTENDEN: Yes. The area that the
5 gentleman requested, that actually is scheduled for
6 future park improvements. And so it would not be
7 developed in terms of housing, but potentially a future
8 flat field is what the -- currently, the Sparks
9 management plan has anticipated for that area. We don't
10 have a timeline on that. We don't have funding lined up
11 for that just yet. But it is the future plan.

12 And that was part of the discussion for the
13 emergency evacuation, or the emergency vehicle access
14 road that kind of wraps around the outside edge of that,
15 is to avoid passing through what would be, hopefully,
16 future programmed park space.

17 MR. DEAN O'CONNER: Thank you.

18 CHAIRMAN VANDERWELL: Thank you.

19 Any Commissioners have any future questions?

20 Okay. I'll entertain a motion.

21 COMMISSIONER FEWINS: Commissioner Fewins.

22 CHAIRMAN VANDERWELL: Commissioner Fewins.

23 Thank you.

24 COMMISSIONER FEWINS: For the development
25 agreement, I would propose the development associated

1 with PCN18-005 is consistent with the Sparks
2 Comprehensive Plan and to forward a recommendation of
3 approval to the City Council.

4 COMMISSIONER CAREY: I'll second the motion.

5 CHAIRMAN VANDERWELL: Okay. I have a first and
6 a second. Any discussion?

7 Commissioner Carey.

8 COMMISSIONER CAREY: Thank you. I support
9 the -- well, I seconded it. I think that I really like
10 the language in the development agreement with section
11 B, part 4, about the urban interface. I mean this is
12 something to take a look at when we get to the tentative
13 map.

14 The wildfire, obviously, is a huge issue, huge
15 concern in this area. I think, one of the things we
16 should maybe take a look at, we're providing the buffer
17 to Golden Eagle; I think, we should take a look at
18 providing a buffer to the public lands to the east.

19 Another concern, you know, looking at the
20 Carson City BLM Field Office Management Plan for the
21 land, there's some significant uses that are out to the
22 east. And, I think, when we get to the tentative map, I
23 would encourage staff to take a look at restricting
24 access, vehicle and off-road vehicle, to the lands to
25 the east and enforcing that access to the existing

1 access point to the south near the -- you know, near the
2 park.

3 Thank you, Madam Chair.

4 CHAIRMAN VANDERWELL: Any other Commissioners
5 have any comments?

6 Okay. All in favor?

7 (Commission members said "aye.")

8 CHAIRMAN VANDERWELL: Any opposed?

9 Thank you.

10 Yes?

11 COMMISSIONER FEWINS: Madam Chair?

12 CHAIRMAN VANDERWELL: Commissioner Fewins.

13 COMMISSIONER FEWINS: For the Comprehensive
14 Plan land use --

15 MS. MCCORMICK: Madam Chair, I believe a public
16 hearing is next.

17 CHAIRMAN VANDERWELL: Oh, I apologize. See,
18 when you put it all under one, it's hard.

19 This is a public hearing item. I'm going to
20 open the public hearing?

21 Do we have any requests to speak?

22 Okay. With that, I'll close the public hearing
23 and bring it back to the Commission.

24 Commissioner Fewins.

25 COMMISSIONER FEWINS: Madam Chair, for the

1 Comprehensive Plan land use amendment request, I move to
2 approve the Comprehensive Plan land use amendment
3 MPA18-001, associated with PCN18-0005, based on findings
4 CP1 through CP4, and the facts supporting these findings
5 as set forth in the staff report.

6 COMMISSIONER BROCK: Commissioner Brock.

7 Second.

8 CHAIRMAN VANDERWELL: Okay. I have a first and
9 a second. Any further discussion?

10 Commissioner Carey.

11 COMMISSIONER CAREY: Thank you. Some comments
12 for the record on the proposed comprehensive land use
13 change.

14 I can recall, from being on the Parks and Rec
15 Commission, when Golden Eagle Park was being designed, I
16 think, the original intent of the land use that were
17 proposed to be changed in the motion, was to be
18 commercial and residential services to provide, to help
19 with Golden Eagle Regional Park. I think that the
20 proposed comprehensive land use change is more
21 consistent with the existing land uses in this area. I
22 think, single-family is more appropriate considering the
23 important land uses of the federal lands to the east.

24 I'll be supporting the motion.

25 CHAIRMAN VANDERWELL: Thank you. Any further

1 discussion?

2 All in favor?

3 (Commission members said "aye.")

4 CHAIRMAN VANDERWELL: Any opposed?

5 Okay. Thank you. Motion carries.

6 Next, I'll open the public hearing for the
7 rezoning.

8 Do we have any requests to speak?

9 MS. SMITH: I don't.

10 CHAIRMAN VANDERWELL: Hearing none, I'll close
11 the public hearing and bring it back to the Commission.
12 Commissioner Fewins, would you like to? thank
13 you.

14 COMMISSIONER FEWINS: This is called Turkey, I
15 think.

16 CHAIRMAN VANDERWELL: Yeah. Just moving it
17 along.

18 COMMISSIONER FEWINS: Madam Chair, Commissioner
19 Fewins.

20 For the zoning request, I move to forward a
21 recommendation of approval to the City Council for the
22 rezoning request RZ18-0001, associated with PCN18-0005,
23 based on findings Z1 through Z3 and the facts supporting
24 these findings as set forth in the staff report.

25 COMMISSIONER BROCK: Commissioner Brock.

1 Second.

2 CHAIRMAN VANDERWELL: Okay. I have a first and
3 a second. Any further discussion?

4 Okay. Hearing none, all in favor?

5 (Commission members said "aye.")

6 CHAIRMAN VANDERWELL: Anyone opposed?

7 Thank you. Motion carries.

8 Next, we'll move along to General Business,
9 PCN18-00032, consideration and possible recommendation
10 of approval of a tentative map.

11 MR. CUMMINS: Thank you, Madam Chair, Planning
12 Commissioners. I'm Jonathan Cummins, Assistant Planner.

13 PCN18-0032 is a tentative map request for a
14 39-lot single-family residential subdivision on a site
15 5.38 acres in size in the SF6, Single-Family
16 Residential, zoning district.

17 The project's located on the southeast corner
18 of Wedekind and El Rancho outlined in cyan, the bluish.

19 The main access to the subdivision would be off
20 of Garfield to the south of the project. There would be
21 emergency access on the northwest corner, which will be
22 gated and used only for emergency vehicles.

23 The piece that's on the southernmost part of
24 the project here is currently an easement on the church
25 property which sits to the west. The applicant's in

1 negotiations currently to acquire that property and
2 record a boundary line adjustment to include that in the
3 subdivision.

4 The project will incorporate a mix of lot
5 sizes, to include what the Sparks Municipal Code calls
6 small lot development. The code requires that small lot
7 development meet two requirements, that the density
8 maximum is maintained by the subdivision. In the case
9 of SF6 zoning, the density maximum would be 7.3 dwelling
10 units per acre. And this proposed project would be
11 7.25, meeting those standards.

12 And the second requirement being that anyone
13 that developed a part of the subdivision be deed
14 restricted as common area. Any of the common areas will
15 remain common areas.

16 Just a little bit more background and to
17 clarify a couple of things that we've discussed since
18 Tuesday at our Study Session. The land use designation
19 for the parcels is, in fact, IDR, Intermediate Density
20 Residential. And to sort of give a little bit of
21 background of how we got that, the Planning Commission
22 and City Council both approved the annexation of these
23 parcels to be converted from county zoning of E1 state
24 residential to SF15. And, sequentially, the applicant
25 requested that it then be rezoned from SF15 to SF6 to

1 allow for this type of development.

2 The tentative map requires the following
3 finding be made by the Planning Commission.

4 Finding T1, conformance to the Comprehensive
5 Plan. Staff believes that Goal CF1 can be met, the City
6 and the developer provide adequate service levels and
7 that those service levels are available by the City.

8 Goal MG6, to promote compact development and
9 reduce the effects on the City.

10 Staff believes that the product satisfies
11 policy H1 by allowing for appropriate zoning districts
12 to exist throughout the City for new housing.

13 Additionally, Policy H2, to promote a variety
14 of housing types, as well as Policy CC8, create a
15 neighborhood diversity.

16 Finding T2 requires conformance to the street
17 master plan. The streets in the subdivision will be
18 internal to the project and subsequently privately owned
19 and maintained by a homeowners association.

20 Finding T3 requires we address the appropriate
21 health laws and regulations and ensure that they're
22 being met. We received no comments from those such
23 agencies.

24 Finding T4 requires the availability of water.
25 Truckee Meadows Water Authority will serve the property,

1 and appropriate water rights are in place.

2 Finding T5 requires we address the availability
3 of utilities. Staff is going to require that the
4 developer make the necessary improvements to the City
5 sewer prior to the final map stage.

6 T6 requires the availability of other public
7 services. Staff received comments from the Washoe
8 County School District which indicated that there would
9 be potentially 5 new students housed in the subdivision:
10 3 elementary school students, 1 middle school and 1 high
11 school student.

12 Police and fire are already served by the City
13 of Sparks.

14 And the Regional Transportation Commission of
15 Washoe County provided comments to guide in the design
16 in accordance with their standards.

17 Finding T7 requires that impacts on existing
18 streets and highways be addressed. Applicant states
19 that there will be less than 80 peak hour trips created
20 by this subdivision. Therefore, no traffic study is
21 required.

22 Finding T8 requires that we address the
23 physical characteristics of land, floodplain, slope,
24 soil. Final hydrological and geotechnical reports will
25 be required prior to the final map stage.

1 And the slope does not exceed the minimum of 10
2 percent, which would be required in the Sparks Municipal
3 Code to trigger hillside development standards.

4 Finding T9 requires review by outside agencies
5 not previously addressed. We received only comments
6 from the school district and RTC.

7 Finding T10 specific to fire protection. The
8 project sites falls within the 6-minute response time of
9 the Sparks Fire Department, which is already currently
10 serving the site.

11 Finding T11, any other impacts identified by
12 staff. Landscaping and architecture review will be
13 addressed in the future. It's not part of this
14 approval. However, that's part of the development that
15 we're anticipating on the site. And, therefore, that's
16 something that we're pointing out to the developer.

17 And Finding T12 requires public noticing. This
18 Planning Commission and the subsequent City Council
19 meetings function as the public hearings for the item.

20 To address the Commission's questions from
21 Tuesday, there's been no contact from the public
22 regarding the project as of this evening.

23 So with that, staff recommends that the
24 Planning Commission forward the recommendation of
25 approval to the City Council.

1 CHAIRMAN VANDERWELL: Thank you.

2 MR. CUMMINS: Questions?

3 CHAIRMAN VANDERWELL: Okay. Is the applicant
4 here, and would they like to speak?

5 MR. BRIAN NEWMAN: Good evening, Madam
6 Chairman, Vice Chairman and other esteemed members of
7 the Planning Commission. My name is Brian Newman. I'm
8 with Meridian Land Solutions and Design, representing
9 the applicant, LLS/LLC. And with me, of course, is this
10 superstud here, Mr. Greg Evangelatos, my planning
11 consultant.

12 Just like the two people before us, we think
13 staff did a great job, rather than being redundant.
14 And, I think, we all want to get out of here soon.
15 We're just here to answer any questions that you may
16 have.

17 CHAIRMAN VANDERWELL: Okay. Thank you.

18 Do any of the Commissions have any questions of
19 the applicant?

20 So, see, you guys lucked out.

21 MR. BRIAN NEWMAN: No.

22 CHAIRMAN VANDERWELL: Thank you.

23 MR. BRIAN NEWMAN: Okay.

24 MR. GREG EVANGELATOS: Thank you, Madam Chair.

25 CHAIRMAN VANDERWELL: Thank you.

1 Do any of the Commissioners have any questions?

2 No. Okay. I'm actually with it now.

3 Okay. With that, I will -- I'll entertain a
4 motion, please.

5 Commissioner Carey.

6 COMMISSIONER CAREY: Yeah, I concur with
7 staff's recommendation. I think that this proposed
8 tentative map is consistent with the land use
9 designation that we previously approved. I think, this
10 will be really good infill development and it will
11 provide a good housing choice in this part of the City.

12 With that, I'll move to forward a
13 recommendation of approval to the City Council of the
14 tentative map for the Wildcreek Meadows subdivision
15 associated with PCN18-0032, adopting findings T1 through
16 T12 and the facts supporting these findings as set forth
17 in the staff report and subject to the conditions of
18 approval 1 through 15.

19 COMMISSIONER BROCK: Commissioner Brock. I
20 second the motion.

21 CHAIRMAN VANDERWELL: Okay. I have a first and
22 a second. Is there any further comment?

23 Okay. All in favor?

24 (Commission members said "aye.")

25 CHAIRMAN VANDERWELL: Any opposed?

1 Okay. Thank you. Motion carries.

2 Next, we'll go on to PCN18-0034.

3 MS. MELBY: Good evening, Chairman and Planning
4 Commissioners. I'm Karen Melby, Development Service
5 Manager.

6 Before you is a tentative map request for a 310
7 single-family lot subdivision within the Kiley Ranch
8 Phase 7 planned development.

9 Outlined here in cyan is the planned
10 development boundaries. The south boundary would be
11 Windmill Farms. East, west boundary is Kiley Parkway.
12 Northbound would be Lazy Five.

13 Kiley Ranch Village 9 encompasses the entire
14 Phase 7 final planned development for the Kiley Ranch
15 North plan. The land use designation is Low-Medium
16 Residential, which permits 3 to 6 dwelling units. This
17 is within the handbook, the City's designation. The
18 gross density of this proposed tentative map is 5.3
19 dwelling units per acre, which complies with the Phase 7
20 handbook.

21 In March 2018, the City Council approved a
22 tentative map with 20 conditions for a subdivision on
23 this, at this location for 344 single-family lots. The
24 master developer would like to develop this as a gated
25 community with private streets. So they had submitted a

1 new tentative map, which is what we're reviewing
2 tonight. The subdivision street map work is similar to
3 the previously approved tentative map. If approved,
4 this new tentative map would supersede the March
5 approved tentative map.

6 This is the tentative map.

7 The Village 9 is proposed to be developed in
8 three subvillages, with the average lot size of 6,235
9 square feet. And anticipated phasing is from the south,
10 which would be Windmill Farms, to the north.

11 The master developer is planning to provide a
12 private clubhouse to the residents of the Village 9.

13 The master developer is proposing to have gated
14 entrance, entrance gates at Granary Park Avenue, Dappled
15 Way and Hoot Owl Way. The June Bug Drive will be gated
16 as an emergency access only, and that's condition 21.

17 With the installation of the entrance gates,
18 the street network must be privately owned and
19 maintained by a homeowners association or a
20 subassociation. The subassociation will be responsible
21 for responsible for the maintenance of the private
22 streets, utilities and the recreational amenities
23 provided and common areas within.

24 The primary access to the project is via roads
25 that intersect with Kiley Parkway, Windmill Farms

1 Parkway and, also, Lazy Five Parkway, which all conform
2 to the Kiley Ranch North Phase 7 handbook. The roads
3 are designed to handle the anticipated traffic generated
4 by this tentative map.

5 The applicant provided a queuing analysis
6 prepared by the traffic engineer to address the stacking
7 of the vehicles in the p.m. at the entrance gates. The
8 traffic engineer recommends that the gates remain open
9 between the hours of 4:00 p.m. to 6:00 p.m. to avoid
10 queuing onto the surrounding streets. This
11 recommendation was added to the Phase 7 final planned
12 development handbook.

13 Addressing the 12 findings, Finding T1, which
14 is conformance with the master plan and zoning
15 ordinances. The land uses in the Kiley Ranch planned
16 development have been adopted as part of the Sparks
17 comprehensive land use map. The gross density of the
18 tentative map is 5.3 dwelling units per acre, which
19 complies both with the Kiley Ranch North Phase 7 final
20 handbook and, also, the City's Comprehensive Plan.

21 The tentative map complies with policies C4,
22 CF1, Policy CC8, Policy H1 and Policy H2, because
23 sidewalks are provided on both sides of the private
24 streets, City's infrastructure modeling has been
25 included in this subject village, the gated community

1 will provide a different housing option in the Kiley
2 Ranch North planned development, and the tentative map
3 provides an alternative single-family community not
4 offered in the City of Sparks.

5 Finding T2, conforms to the City map,
6 conformance with the City's master plan of streets. The
7 tentative map incorporates street design showing the
8 Kiley Ranch North Phase 7 planned development handbook.
9 The project requires extension of the Kiley Ranch
10 Parkway and Lazy Five Parkway to access this project
11 site.

12 Finding T3, which is the environmental and
13 health laws. This application was distributed to the
14 various agencies that provide basic services in
15 administrative, environmental and health laws. The
16 developer must comply with all the requirements of these
17 agencies, which is Condition 4, with the final map.

18 Finding T4, which is availability of water.
19 The developer has estimated the water requirement for
20 this development would be 1.95 acre-feet per year for
21 the domestic water. The water rights needed to serve
22 this project are in place or will be dedicated with the
23 final map, which is Condition Number 6.

24 Finding T5, the availability and accessibility
25 of utilities. The developer has estimated that the

1 sewage flows for this development will be 281,975
2 gallons per day. The applicant will be required to
3 provide evidence that there is adequate sewer capacity
4 to serve the project prior to the recordation of the
5 final map. The stormwater and proper drainage for the
6 development shall be reviewed and approved by the
7 Engineering Division of Community Services prior to the
8 recordation of the final map, which are conditions 14
9 and 8.

10 Finding T6, which is the availability and
11 accessibility of public streets. The schools -- I mean
12 public services. The schools currently zoned for this
13 area are Hall Elementary School, Shaw Middle School and
14 Spanish Springs High School. Washoe County School
15 District did provide a letter to us, and they project
16 that the number of students generated by this project
17 will be 113 students, of which 70 will be elementary
18 school, 14 will be middle school, and 29 will be high
19 school students.

20 The police, Sparks Police will provide police
21 services.

22 The Regional Transportation Commission provided
23 comments, which is attached to the staff report.

24 The emergency and fire. Fire and emergency
25 medical response will be provided by the Sparks Fire

1 Department. At this time, the project is located
2 outside of our 6-minute response time for the Sparks
3 Fire Department. Which the City has an agreement with
4 the Truckee Meadows Fire Protection District for mutual
5 aid to serve this area. The Sparks Fire Department
6 requires two means of access to this Village 9 prior to
7 any combustibles being stored on-site, which requires
8 the construction of Kiley and Lazy Five parkways, which
9 is Condition Number 12.

10 Finding T7, the effect of the proposed
11 subdivision on the existing public streets and needs for
12 new streets. It is anticipated that the project will
13 generate 3,008 average daily trips, with an a.m. peak
14 hour of 237 trips and p.m. of 316. These traffic
15 impacts from the project have been considered, and with
16 the review and approval of the Kiley Ranch North Phase 7
17 final development handbook. This tentative map does not
18 change the traffic patterns or generate increased trips,
19 as planned with the surrounding streets, is identified
20 through the handbook.

21 As part of the application, a queuing analysis
22 was provided, which is Exhibit 3 in the traffic queuing
23 letter, for the entry through the gates into Village 9
24 was prepared by the traffic engineer for this project,
25 as discussed in detail previously.

1 Finding T8, physical characteristics.
2 Floodplain. The majority of the property is Federal
3 Emergency Management Agency Zone X. However,
4 approximately 8 acres on the east side is located in
5 Zone A. Which the applicant is proposing a Letter of
6 Map Revision from FEMA to use, to be so that they can
7 fill and raise these lots out of Zone A.

8 The slope on this site is relatively flat, with
9 slopes less than 5 percent over the entire property.

10 And soils. A final geotechnical report will be
11 required with the final map.

12 Finding T9, entities to review comments or
13 recommendations. The City has received letters from the
14 Washoe County School District, Washoe County Health
15 District and Washoe County Regional Transportation
16 Commission. Which these letters are attached to the
17 staff report and have been addressed in the staff report
18 and/or in the conditions of approval.

19 Finding T10, the availability and accessibility
20 of the fire protection. As I stated earlier, fire
21 protection will be provided by the Sparks Fire
22 Department and as discussed under Finding T6.

23 Finding T11 addresses identified impacts.
24 Identified impacts are landscaping and architecture.
25 There are 12 common areas within the subdivision to be

1 maintained by the subassociation. The final map will be
2 part of -- the final plans -- I'm sorry -- will be a
3 part of the final map and approved prior to the
4 recordation of the final map. This is Condition 10.

5 Village 9 will be single-family homes which
6 range in size from 1,200 square feet to 3,000 square
7 feet. The architectural style must comply with the
8 Kiley Ranch North Phase 7 handbook, and the architect
9 elevations will be approved with the final map, which is
10 Condition 7.

11 Finding T12, which is public notice. The
12 Planning Commission and City Council function as the
13 hearings for this item.

14 Staff is recommending approval with 22
15 conditions of approval.

16 This concludes my presentation. I'm available
17 for any questions.

18 CHAIRMAN VANDERWELL: Thank you.

19 Do any of the Commissioners have any questions
20 at this time?

21 Okay. Would the applicant like to speak?

22 MR. MIKE RALEY: Good evening. Once again, for
23 the record, Mike Raley with Rubicon Design Group, here
24 representing M2 Development and DR Horton.

25 We are in agreement with all the conditions as

1 outlined by Karen. And we're happy to answer any
2 questions you might have.

3 CHAIRMAN VANDERWELL: Thank you.

4 Do the Commissioners have any questions for the
5 applicant?

6 Okay. Thank you.

7 MR. MIKE RALEY: You're welcome.

8 CHAIRMAN VANDERWELL: Any questions of staff?

9 Okay. I'll entertain a motion.

10 COMMISSIONER READ: Madam Chair, I'll make a
11 motion.

12 CHAIRMAN VANDERWELL: Okay. Commissioner Read.

13 COMMISSIONER READ: I move to forward a
14 recommendation of approval to the City Council of the
15 tentative map for Kiley Ranch North Planned Development
16 Village 9 associated with PCN18-0034, adopting findings
17 T1 through T12 and the facts supporting these findings
18 as set forth in the staff report and subject to the
19 Conditions of Approval 1 through 22 as listed in the
20 staff report.

21 CHAIRMAN VANDERWELL: Thank you. Can I get a
22 second?

23 COMMISSIONER BROCK: Commissioner Brock. I
24 second.

25 CHAIRMAN VANDERWELL: Okay. I have a first and

1 a second. Any further discussion?

2 Okay. All in favor?

3 (Commission members said "aye.")

4 CHAIRMAN VANDERWELL: Anyone opposed?

5 Okay. Thank you motion carries.

6 Next, move on to public comment.

7 Do we have any requests to speak?

8 MS. SMITH: No.

9 CHAIRMAN VANDERWELL: Okay. With that, we'll
10 move along to comments from the Commissioners.

11 Commissioner Carey, you had asked if you could
12 have a comment at the end of this meeting. And I don't
13 know that I'm going to honor it, but go ahead.

14 COMMISSIONER CAREY: No, that's okay. You
15 can --

16 CHAIRMAN VANDERWELL: Can you be quick?

17 COMMISSIONER CAREY: Well, I think, I can just
18 push it off until the next meeting.

19 CHAIRMAN VANDERWELL: Do you want to do that?
20 Okay.

21 COMMISSIONER CAREY: Yeah. Thank you for
22 reminding me.

23 CHAIRMAN VANDERWELL: You're welcome.

24 COMMISSIONER CAREY: I forgot all about it.

25 CHAIRMAN VANDERWELL: Do any of the other

