

**City Of Sparks  
Planning Commission Item**

**Meeting Date:** May 17, 2012

**Subject:** **PCN12010**, Public Hearing, Consideration and possible action on a Master Plan Amendment and Tentative Approval of an amendment to a planned development handbook (Wingfield Springs) on a site approximately 1,645 acres in size within the NUD (Wingfield Springs Planned Development) zoning district generally located north of the Miramonte Planned Development, east of the Pioneer Meadows Planned Development, and west of the Foothills at Wingfield Springs Planned Development, Sparks, NV.

A. A Master Plan Amendment request to change the land use designation on 2.67 acres from Open Space (OS) to 6 dwelling units per acre (du/ac) (village 5A), change the land use designation on 1.8 acres from Open Space (OS) to 4 du/ac (village 20A), change the land use designation on 3.7 acres from Open Space (OS) to 4 du/ac and change the land use on approximately 8 acres from 4 du/ac to Open Space (village 27), and change the land use designation on 10.9 acres from Open Space (OS) to 4 du/ac (village 28).

B. A request for Tentative Approval of an amendment to the Wingfield Springs Planned Development Handbook to include the addition of several new villages; changes to the land use map and table; and changes to the setbacks within the Builder Lot and Patio Home designations.

**Petitioner:** **Red Hawk Land Company**

**Presenter:** **Tim Thompson**

**Recommendation:** **The Community Services Department recommends forwarding a recommendation for approval of PCN12010 as presented by staff, see suggested motions below.**

**Financial Impact:** **N/A**

**Business Impact** (per NRS Chapter 237):

A Business Impact Statement is Attached.

A Business Impact Statement is Not Required because:

This is not a rule; (Term excludes vehicles by which legislative powers are exercised under NRS Chapters 271, 278, 278A, and 278B.)

**Background / Analysis / Alternatives**

**See Attached Report.**

SUGGESTED MOTIONS

Master Plan Amendment

I move to deny the Master Plan Amendment Resolution #195 and forward a request of certification to the City Council for the Master Plan Amendment associated with PCN12010, to change the land use designation on 2.67 acres from Open Space (OS) to 6 dwelling units per acre (du/ac) (village 5A) as staff could not make Finding MP3 and the facts supporting these Findings as set forth in the staff report.

I move to deny the Master Plan Amendment Resolution #196 and forward a request of certification to the City Council for the Master Plan Amendment associated with PCN12010, to change the land use designation on 1.16 acres from Open Space (OS) to 4 du/ac (village 20A) as staff could not make Finding MP3 and the facts supporting these Findings as set forth in the staff report.

I move to approve the Master Plan Amendment Resolution #197 and forward a request of certification to the City Council for the Master Plan Amendment associated with PCN12010, to change the land use designation on 3.7 acres from Open Space (OS) to 4 du/ac and change the land use designation on approximately 8 acres from 4 du/ac to Open Space (village 27) adopting Findings MP1 through MP4 and the facts supporting these Findings as set forth in the staff report.

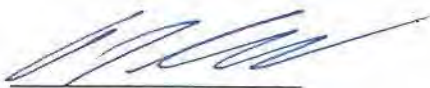
I move to approve the Master Plan Amendment Resolution #198 and forward a request of certification to the City Council for the Master Plan Amendment associated with PCN12010, to change the land use designation on 10.9 acres from Open Space (OS) to 4 du/ac (village 28) adopting Findings MP1 through MP4 and the facts supporting these Findings as set forth in the staff report.

Tentative Approval

I move to forward a recommendation for Tentative Approval of a request for an amendment to the Wingfield Springs Planned Development Handbook associated with PCN12010, to approve the proposed changes to the land use table and map for Villages 17A, 27, 31, and the proposed changes to the setbacks within the Patio Home and Builder Lot designations based on Findings PD1 through PD21 and rejecting the proposed changes to the land use table and map for proposed Villages 5A, 19C, and 20A due to the inability to make Findings PD8, PD10, PD15, PD16, PD18, PD19, and PD21 and the facts supporting those Findings as set forth in the staff report. The Tentative Approval includes that the applicant shall file for final approval of the planned development within one (1) year from the date of the City Council granting tentative approval of the planned development handbook. Due to the nature of the tentative planned development, the Planning Commission does not recommend that the City Council require a bond at this time as stated in NRS 278A.490.

Respectfully Submitted,

Prepared By:



Armando Ornelas  
City Planner

Tim Thompson, AICP  
Senior Planner

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CASE NUMBER(S):	<ul style="list-style-type: none"><li>• PCN12010</li></ul>
REQUESTED ACTION(S):	<ul style="list-style-type: none"><li>• A Master Plan Amendment and Tentative Approval of an amendment to a planned development handbook (Wingfield Springs)</li></ul>
PROJECT DESCRIPTION:	<ul style="list-style-type: none"><li>• A Master Plan Amendment request to: change the land use designation on 2.67 acres from Open Space (OS) to 6 du/ac (village 5A); change the land use designation on 1.8 acres from Open Space (OS) to 4 du/ac (village 20A); change the land use designation on 3.7 acres from Open Space (OS) to 4 du/ac and change the land use on approximately 8 acres from 4 du/ac to Open Space (village 27); and change the land use designation on 10.9 acres from Open Space (OS) to 4 du/ac (village 28). A request for Tentative Approval of an amendment to the Wingfield Springs Planned Development Handbook to include the addition of several new villages; changes to the land use map and table; and changes to the setbacks within the Builder Lot and Patio Home designations.</li></ul>
PROPERTY OWNER:	<ul style="list-style-type: none"><li>• Red Hawk Land Company</li></ul>
DEVELOPER:	<ul style="list-style-type: none"><li>• Property Owner</li></ul>
APPLICANT:	<ul style="list-style-type: none"><li>• Property Owner</li></ul>
LOCATION:	<ul style="list-style-type: none"><li>• Generally located north of the Miramonte Planned Development, east of the Pioneer Meadows Planned Development, and west of the Foothills at Wingfield Springs Planned Development, Sparks, NV.</li></ul>
SITE SIZE:	<ul style="list-style-type: none"><li>• Approximately 1,645 acres</li></ul>
EXISTING ZONING:	<ul style="list-style-type: none"><li>• NUD (New Urban District)</li></ul>
EXISTING LAND USE:	<ul style="list-style-type: none"><li>• Open Space (OS)</li></ul>
PROPOSED LAND USE:	<ul style="list-style-type: none"><li>• 4 du/ac, 6 du/ac, &amp; Open Space (OS)</li></ul>
WARD INFORMATION:	<ul style="list-style-type: none"><li>• Ward 4 – Mike Carrigan</li></ul>
APPLICABLE REGULATIONS:	<ul style="list-style-type: none"><li>• NRS 278A – Planned Developments</li><li>• S.M.C. 20.18 (Planned Development Review)</li><li>• Wingfield Springs Planned Development Handbook</li></ul>

\*A Public Hearing is Required

**BACKGROUND:**

Wingfield Springs was originally annexed into the City of Sparks by the City Council on March 23, 1992.

Wingfield Springs was reviewed in 1992 as a Tentative Map and Planned Development Handbook. It did not require a Master Plan Amendment because it reflected the designations and policies in the Northern Sparks Sphere of Influence Plan, an element of the Sparks Master Plan. A condition was placed on the Tentative Map to require a rezoning to PD (Planned Development) prior to approval of the final map.

On June 13, 1994, the City Council approved a rezoning (Z-6-94) request from Loeb Enterprises, LLC., to rezone 692.9 acres from A-40 (Agricultural) to PD (Planned Development), allowing for a multi-use development with an overall density of 2 dwelling units per acre (DU/AC). Also approved on this date was the Wingfield Springs Planned Development Handbook which included a land use plan and established the standards for development within Wingfield Springs. The handbook called for an overall density of 2 DU/AC which allowed for a maximum of 1,396 dwelling units. The handbook devoted 343 acres to residential (294 acres of single family allowing for 957 dwelling units and 49 acres of multiple family allowing for 439 dwelling units), 13 acres to commercial, 5 acres to office, 23 acres to a resort complex, 1 acre to a fire station, 88 acres to open space, 190 acres to a golf course and 35 acres to arterial, parkway and collector roads.

On October 13, 1994, the City of Sparks Planning Commission approved the first Master Plan Amendment (MP-6-94) for Wingfield Springs, amending the Northern Sparks Sphere of Influence Plan. This amendment allowed for a total of 2,242 residential dwelling units and a Resort Hotel/Casino with 400 rooms. More specifically, the Master Plan was amended to include 3.9 acres of NC (Neighborhood Commercial) and 8.0 acres of VC (Village Commercial), reduce the TC (Tourist Commercial) from 28 acres to 11 acres, and add HDR (High Density Residential) from 15 DU/AC (15 Dwelling Units per Acre) to 20-43 DU/AC (20-43 Dwelling Units per Acre). This amendment was certified by the City Council on October 24, 1994 and approved by Regional Planning on November 9, 1994.

On July 14, 1997, the City Council approved a rezoning (Z-10-97) request from Loeb Enterprises LLC to rezone 2.53 acres in the northern section (the area north of Vista Boulevard) from R1-40 (Single Family Residential) to PD (Planned Development) to allow for a community private school.

On February 27, 2001, the City Council approved an annexation (A-9-00), rezoning (Z-16-00) and Planned Development Handbook Amendment (MISC-8-00) from Loeb Enterprises LLC/Wingfield Springs to annex 140.73 acres into the City of Sparks, rezone from S (Study) to PD (Planned Development) and amend the Wingfield Springs Planned Development Handbook to incorporate approximately 139.82 additional acres into the Wingfield Springs project area, amend the amenity lot standards, and incorporate development standards for slopes.

On April 8, 2002, the City Council approved an annexation, rezoning, and Planned Development Handbook Amendment (PCN02009) request to annex approximately 163.0 acres into the City of Sparks, to rezone the 163.0 acres from S (Study) to PD (Planned Development), and to incorporate the 163.0 acres into the Wingfield Springs Planned Development Handbook. The approved handbook amendment also altered the location and increased the size of the resort site and altered the development standards of the builder lots, resort complex, resort condominiums, golf club, neighborhood commercial, community school and multiple family apartments/townhouses/flats.

On August 23, 2004 the City Council approved a Planned Development Handbook Amendment (PCN04036) to allow for a fire station to be built in the Foothills at Wingfield or Wingfield Springs, to change the description and definition of golf cottages, to update the Sparks Municipal Code reference to signs, and to allow for a 15-foot front yard setback on builder lots with side load garages.

On May 9, 2005 the City Council approved a tentative and final Planned Development Handbook Amendment (PCN05007) request to change the "Special Purpose Sign Standards" to allow for directional and information signs for the golf club, golf course and accessory uses.

On August 27, 2007 the City Council approved a Planned Development Handbook Amendment (PCN05072) and supplemental development agreement request to remove the resort casino/hotel land use designation. The amendment eliminated casinos as a permitted land use within the Wingfield Springs Planned Development while retaining the resort complex as a permitted land use.

On April 14, 2008, the City Council certified an amendment to the Master Plan to change approximately 24 acres of 1 DU/AC (1 dwelling unit per acre), approximately 24 acres of 4 DU/AC (4 dwelling units per acre), and approximately 118 acres of OS (Open Space) to approximately 73 acres of 1 DU/AC (1 dwelling unit per acre), approximately 58 acres of 4 DU/AC (4 dwelling units per acre), and approximately 39 acres of OS (Open Space),

On July 27, 2009, the City Council certified a Master Plan Amendment resolution to change the land use designation from General Commercial (GC) to Tourist Commercial (TC) on a site approximately 20.5 acres in size generally located east of Pyramid Highway, north of the Lazy 5 Park within the Tierra Del Sol Planned Development and to change the land use designation from Tourist Commercial (TC) to 5 du/ac (dwelling units per acre) on a site approximately 27 acres in size generally located at the southwest corner of the intersection of Vista Boulevard and Wingfield Hills Road in the Wingfield Springs Planned Development.

The most recent entitlements were processed in 2009. The first was a Master Plan Amendment (PCN10006) to change 6.3 acres from Open Space to General Commercial located on the north (3.4 acres) and south (2.9 acres) sides of Vista Boulevard, approximately 1/3 mile west of the

Wingfield Hills Boulevard intersection. Subsequently there was a request for Tentative Approval of an amendment to the Wingfield Springs Planned Development Handbook (PCN08012) to allow: the designation of the "outparcel" as Village 30, Golf Cottages, including establishing Village 23 with 20 units, Village 25 with 100 units, Village 27, Phase 3 with 42 units; modifying uses under the Golf Facility to include a wider range of neighborhood serving retail and commercial uses and modifying Neighborhood Commercial to allow for a wider range of commercial uses, inclusive of minor administrative changes.

**ANALYSIS:**

The developer has identified what they consider to be underutilized properties within the Wingfield Springs Planned Development. The developer is requesting several Master Plan Amendments and Tentative Approval of an amendment to the Wingfield Springs Planned Development Handbook. Essentially, the application proposes the creation of several new villages; the modification of existing villages and land uses; and changes to the setback requirements in the Patio Home and Builder Lot designations. Following is a more detailed analysis of each of the proposed amendments:

**Village 5A**

The developer is proposing the creation of Village 5A. Village 5A is located at the northeast corner of Vista Boulevard and Wingfield Parkway, south of Rey del Sierra Drive (see Figure 1). The site is 2.67 acres and is currently open space. The developer is proposing to change the land use designation from Open Space (OS) to 6 dwelling units per acre (du/ac). Village 5A would be designated as Patio Homes and would consist of a maximum of 18 lots.



FIGURE 1 (Village 5A)

Although the property is owned by Red Hawk Land Company and has not been dedicated to the homeowners association as common open space, the Wingfield Springs Handbook identifies the area as open space. Village 5 is adjacent to and east of the proposed Village 5A. Village 5 has the Amenity Lot designation. The planned development handbook states, "*Amenity Lots are large lots, many of which are oriented to site amenities such as the lakes, golf course, parks and open space.*" Amenity Lots have a minimum lot size of 10,000 square feet; however there is an exception that allows for 9,000 square-foot lots for a maximum of 25% of the lots within Village 5. Also, Village 5 is comprised mostly of what would be termed "custom lots." It's also important to point out that the rear yard setback can be reduced from the minimum 20 feet to ten (10) feet "*upon the recommendation of the Design Review Committee, taking into consideration the placement of the house on the lot, the type of amenity it abuts (at the rear) and the proximity of the golf course, if applicable.*" Essentially, a rear yard setback could have been reduced to 10 feet based on whether the lot abutted an amenity. It appears that at least one home and possibly a few others were granted a reduction in their rear yard setback predicated on the fact that they were abutting open space. This is the same open space the developer is proposing to develop as Village 5A.

Nevada Revised Statutes (NRS) 278A addresses the provisions for Planned Developments and is known as the Planned Unit Development Law. NRS 278A.110(3) indicates that a developer can maintain flexibility until it receives final approval for and records provisions of the plan. At that point, the features of a planned unit development are enforced and modified pursuant to NRS 278A.380 to 278A.420, inclusive. These sections only address enforcement and modification by the City and residents of the planned unit development. NRS 278A.380 states:

*Purposes of provisions for enforcement and modification.*

- 1. The enforcement and modification of the provisions of the plan as finally approved, whether or not these are recorded by plat, covenant, easement or otherwise, are subject to the provisions contained in NRS 278A.390, 278A.400 and 278A.410.*
- 2. The enforcement and modification of the provisions of the plan must be to further the mutual interest of the residents and owners of the planned unit development and of the public in the preservation of the integrity of the plan as finally approved. The enforcement and modification of provisions must be drawn also to insure that modifications, if any, in the plan will not impair the reasonable reliance of the residents and owners upon the provisions of the plan or result in changes that would adversely affect the public interest.*

Section 2 above indicates that any modification to the plan must be to further the mutual interest of the residents and owners of the planned unit development and of the public in preserving the integrity of the plan. Modification must not impair the reasonable reliance of the residents and owners upon the provisions of the plan or result in changes that would adversely affect the public interest. NRS 278A also seems to indicate that only the city and residents can actually modify the plan. The residents can modify the plan only to the extent and in the manner expressly authorized by the provisions of the plan. In this particular case, the residents do not have the authorization to modify the plan. Regardless, they could only modify, remove, or release their rights to enforce the provision of plan. On the other hand, the City can modify the plan pursuant to NRS 278A.410, which reads:

*Modification of plan by city or county. All provisions of the plan authorized to be enforced by the city or county may be modified, removed or released by the city or county, except grants or easements relating to the service or equipment of a public utility unless expressly consented to by the public utility, subject to the following conditions:*

- 1. No such modification, removal or release of the provisions of the plan by the city or county may affect the rights of the residents of the planned unit residential development to maintain and enforce those provisions.*
- 2. No modification, removal or release of the provisions of the plan by the city or county is permitted except upon a finding by the city or county, following a public hearing that it:*
  - (a) Is consistent with the efficient development and preservation of the entire planned unit development;*
  - (b) Does not adversely affect either the enjoyment of land abutting upon or across a street from the planned unit development or the public interest; and*
  - (c) Is not granted solely to confer a private benefit upon any person.*

According to statute, the City cannot modify the plan without making a Finding that the modification preserves the integrity of the plan, does not adversely affect the enjoyment of land abutting upon or across a street from the planned unit development or the public interest, and is not granted solely to confer a private benefit upon any person.

In the case of the proposed Village 5A, staff cannot make the Finding that the proposed modification of Wingfield Springs Planned Development furthers the interest of the City and the residents and preserves the integrity of the plan. Because the adjacent Village 5 has the Amenity Lot designation which requires 10,000 square feet minimum lot size, is comprised of mostly custom homes, and setbacks could, and in fact were, reduced based on the lot abutting an amenity (open space), staff believes this modification would impair the reasonable reliance of the adjacent residents upon the provision of the plan and adversely affect the enjoyment of land abutting the project site. The residents relied upon the plan and the fact that the area adjacent to their lot is considered an amenity by being designated as open space. Although the overall development meets the minimum 20% open space requirement, the conversion of open space to residential land use could also have an adverse affect on adjacent property owners for the same reasons mentioned above. Staff cannot support this change.

### **Village 17A**

The developer is proposing the creation of Village 17A. Village 17A is located north of Vista Boulevard, west of the golf course maintenance facility, and east of the Pioneer Meadows commercial property (see Figure 2). The site is 2.8 acres and is currently master planned General Commercial. The developer is proposing to create a new village that allows for a maximum of 14 lots designated as Patio Homes. The land use plan within the Sparks Master Plan has some provisions for residential development within the General Commercial land use designation. A Master Plan Amendment is not required. It should be noted that staff has some concerns regarding access and the likelihood that access is limited to "right-in, right-out." Access is typically addressed at the time a development plan has been submitted for review.





FIGURE 2 (Village 17A)

The property is owned by Red Hawk Land Company. Staff does not believe this modification will impair the reasonable reliance of the adjacent residents upon the provision of the plan and will not adversely affect the enjoyment of land abutting the project site.

### **Village 19C**

The developer is proposing the addition of Village 19C. Village 19C is located south of Vista Boulevard, north of homes along Ten Mile Drive, adjacent to the Foothills at Wingfield entry monument (see Figure 3). The site is 2.4 acres and is currently master planned 4 dwelling units per acre (du/ac). A Master Plan Amendment is not required. The developer is proposing that Village 19C be designated as Patio Homes with a maximum of 12 lots.



FIGURE 3 (Village 19C)

Although the property is owned by Red Hawk Land Company and has not been dedicated to the homeowners association as common open space, the Wingfield Springs Handbook identifies the area as open space. Village 19A is adjacent to and south of the proposed Village 19C. Village 19A has the Patio Home Designation.

In the case of the proposed Village 19C, staff cannot make the Finding that the proposed modification of Wingfield Springs Planned Development Handbook furthers the interest for the City and the residents and preserves the integrity of the plan. Even though the Master Plan land use designation on this site is 4 du/ac, the planned development handbook shows the area as being open space. As stated previously, while the overall development meets the minimum 20% open space requirement, creating this additional village could have an adverse affect on adjacent property owners. Staff believes this modification would impair the reasonable reliance of the adjacent residents upon the provision of the plan and adversely affect the enjoyment of land abutting the project site. The residents relied upon the plan and the fact that the area adjacent to their lot is designated as open space. Staff cannot support this change.

### **Village 20A**

The developer is proposing to add Village 20A to the land use table and map. Village 20A is located south of Vista Boulevard along Wingfield Hills Road, west of Solstice Drive (see Figure 4). The site is 1.16 acres and is currently master planned Open Space. The developer is proposing to change the land use designation from Open Space (OS) to 4 dwelling units per acre (du/ac). Village 20A would be designated as Builder Lots and would consist of no more than 3 lots.



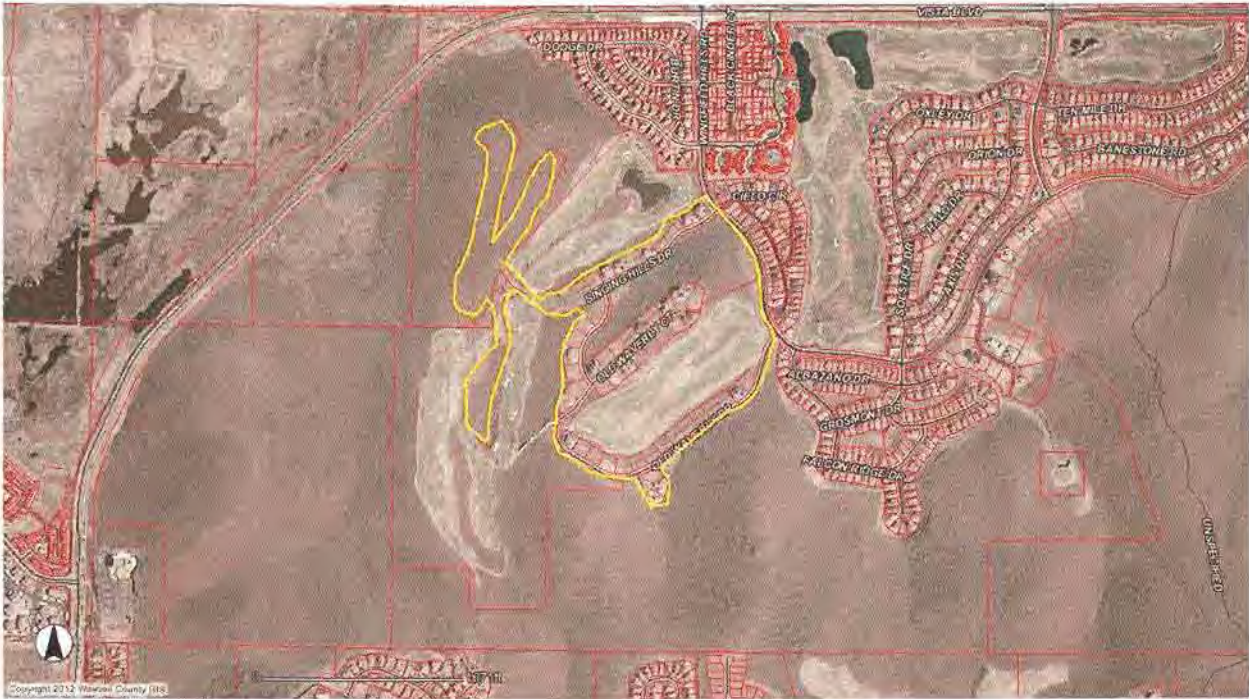
**FIGURE 4 (Village 20A)**

The property is part of the golf course and is owned by Red Hawk Land Company, the Wingfield Springs Handbook identifies the area as golf course/open space. Village 20A would be adjacent to and west of Village 20 which is also designated as Builder Lots.

In the case of the proposed Village 20A, staff cannot make the Finding that the proposed modification of Wingfield Springs Planned Development furthers the interest for the City and the residents and preserves the integrity of the plan. As stated previously, while the overall development meets the minimum 20% open space requirement, creating this additional village could have an adverse affect on adjacent property owners. Staff believes this modification would impair the reasonable reliance of the adjacent residents upon the provision of the plan and adversely affect the enjoyment of land abutting the project site because it's unlikely that the impacts could be adequately mitigated. The residents relied upon the plan and the fact that the area adjacent to their lot is designated as golf course/open space. Staff cannot support this change.

### **Village 27**

The developer is proposing to modify the areas identified for development within Village 27. Village 27 is located south of Vista Boulevard, around and adjacent to The Hills golf course (see **Figure 5**). The site was originally approximately 60 acres. The developer is redistributing the land use to areas they believe are more developable. The "new" Village 27 consists of approximately 52 acres, resulting in a net increase of 8 acres of open space as well as 8 additional lots. Village 27 is currently master planned 4 dwelling units per acre (du/ac). A Master Plan Amendment is required.



**FIGURE 5 (Village 27)**

The property is owned by Red Hawk Land Company and International Leo Foundation. Village 27 is designated as Builder Lots. Staff does not believe this modification will impair the reasonable reliance of the adjacent residents upon the provision of the plan and will not adversely affect the enjoyment of land abutting the project site because potential impacts from grading can be adequately mitigated. Also, the development will actually gain some additional open space.

**Village 28**

Village 28 was included in the planned development handbook a number of years ago. Village 28 was approved for 20 Builder Lots on approximately 11 acres. This village is located south of Vista Boulevard, adjacent to the Vistas Planned Development and would be accessed via Old Waverly Drive (see Figure 6). This request is to change the land use designation from open space to 4 dwelling units per acre on approximately 11 acres.



FIGURE 6 (Village 28)

The property is owned by Red Hawk Land Company and is master planned as open space. There is a possibility that Village 28 could have some type of impact on the residents who live in the Vistas off of Spandrell Circle. However, the handbook already contemplates this village. This request for a Master Plan Amendment came at the request of staff because the land use designation is open space. Because the village was approved previously, staff wanted to ensure that the land use designation was consistent with the provisions in the handbook. This request does not propose any modification to the handbook. Therefore, staff can support the request.

### **Village 31**

The developer is proposing the creation of Village 31. Village 31 is located north and south of Vista Boulevard, west of the Pioneer Meadows commercial development (Raley's) (See Figure 7). The total area for both sites is 6.3 acres and is currently master planned General Commercial. The developer is proposing to develop a maximum of 36 lots designated as Patio Homes. As discussed previously, the land use plan within the Sparks Master Plan has some provisions for residential development in the General Commercial land use designation. A Master Plan Amendment is not required. It should be noted that staff has some concerns regarding access and the likelihood that access is limited to "right-in, right-out." Access is typically addressed at the time a development plan has been submitted for review.



FIGURE 7 (Village 31)

The property is owned by Red Hawk Land Company. Staff does not believe this modification will impair the reasonable reliance of the adjacent residents upon the provision of the plan and will not adversely affect the enjoyment of land abutting the project site.

### **Handbook Amendments**

The developer is proposing several amendments to the planned development handbook. The most significant changes are updating the Land Use Summary Table and Land Use Maps. There are also some proposed amendments to the development standards within the Patio Home and Builder Lot designations. The changes to the setbacks have been agreed upon by both staff and the applicant. The developer is proposing to eliminate the side yard setback requirement of maintaining 20 feet of separation between structures on adjacent lots. The minimum side yard setback remains at 7.5 feet, which provides for a minimum of 15 feet of separation between structures on adjacent lots. This type of setback is not uncommon for typical single family residential. The other changes include a reduction to the rear yard setback from 20 feet to 18 feet and an increase in the maximum percentage of building coverage from 40% to 45%.

The changes to the Patio Home standards include, reducing the minimum lot width from 50 feet to 45 feet; reducing the front yard setback for front load garages from 20 feet to 18 feet; reducing the side yard setback from 5 feet to 4 feet and 12 feet to 8 feet; and increasing the maximum building coverage from 50% to 55%. While staff has agreed to support the request to reduce the side yard setback to 4 feet, it should be noted that staff has some concern regarding the fire separation distance requirements within the 2006 International Residential Code (IRC). Anytime a setback is less than 5 feet, the 2006 IRC calls for some additional building code

requirements related to fire protection. Staff has reviewed with and made the developer fully aware of the requirements.

With regard to the master plan amendments, staff does not support the amendments related to Villages 5A and 20A. Both of these amendments would change the land use from Open Space to 6 du/ac and 4 du/ac for Villages 5A and 20A, respectively.

Staff supports the changes related to Villages 27 and 28. The developer is proposing to modify the land use map to better locate where development might occur within Village 27. Village 28 was previously approved in the planned development handbook. This change was requested by staff and is viewed as a “clean up” item in order to make the land use map consistent with the planned development handbook. It is anticipated that the changes to Village 27 will increase the amount of Open Space by approximately 8 acres, while Village 28 will reduce Open Space by approximately 11 acres. Thus, there is a net decrease of Open Space that totals approximately 3 acres. Staff believes all the Findings have been met to support these changes.

**Based on Findings MP1 through MP4, Staff recommends the Planning Commission approve the Master Plan Amendments for Villages 27 and 28. Staff does not recommend approving the Master Plan Amendments related to Villages 5A and 20A based on the inability to make Finding MP3, as the proposed changes would be incompatible with the existing surrounding land uses.**

With regard to the planned development handbook amendments, staff recommends approving the changes to the land use table and map for proposed Villages 17A, 27, and 31 based on Findings PD1 through PD21. Staff does not recommend approving the changes to the land use table and map for proposed Villages 5A, 19C, and 20A based on Findings PD8, PD10, PD15, PD16, PD18, PD19, and PD21. The proposed changes to the setbacks within the Patio Home and Builder Lot designations have been agreed upon by both staff and the applicant. Therefore, staff recommends that the Planning Commission approve the requested changes to the setbacks within the Patio Home and Builder Lot designations.

**MASTER PLAN AMENDMENT:**

**FINDING MP1:**

**The proposed Master Plan amendment would be in conformance with the Regional Plan.**

The project also meets the intent of the Truckee Meadows Regional Plan based on the following goal and related policy:

**“Goal 1.1**

**Between 2007 and 2030, at least 99% of the region’s population growth and 99% of the region’s jobs growth will be located in the Truckee Meadows Service Areas (TMSA).”**

**“GOAL 1.2:**

Local Government and Affected Entity Master Plans, Facility Plans and other similar plans will provide for the necessary resources, services and infrastructure to support the density summarized in Table 1.2.1 of the Regional Plan.

**“Policy 1.2.2**

To conform to the Regional Plan, local government and affected entity master plans, Facilities Plans, and other similar plans, must promote and not conflict with the following priorities for managing regional growth:

- 1) Downtown Centers;
- 2) Regional Centers and Emerging Employment Centers;
- 3) TOD Corridors;
- 4) Infill opportunity areas as identified in local government master plans;
- 5) Secondary Corridors; and
- 6) **All other areas within the Truckee Meadows Service Areas.”**

**“Policy 1.2.18**

The Regional Plan designates the following general areas for Emerging Employment Centers: the southeast Truckee Meadows, **east and north Sparks**, and the Patrick interchange of the east Truckee River Canyon.

To conform with the Regional Plan, local government and affected entity master plans must maintain and improve the viability of these areas as major employment centers with the following master plan provisions:

- 1) provide adequate non-residential land supply;
- 2) provide convenient access to major roads and/or freeways;
- 3) require pedestrian connections throughout the areas and to nearby residential areas;
- 4) plan for transit service;
- 5) provide adequate residential land supply in the surrounding area to house the anticipated number of employees;
- 6) require design and intensity standards to maintain the character of nearby residential areas; and
- 7) promote reverse commute and trip reduction strategies.”

The proposed Master Plan Amendment for Villages 5A to change the land use from Open Space to 6 du/ac is not consistent with Policy 1.2.18. The proposed Master Plan Amendment does not share the same intensity standards as the adjacent residential development. The other proposed amendments appear to further the goals and policies identified in the Truckee Meadows Regional Plan.



**FINDING MP2:**

**The Master Plan amendment would implement the goals listed within the Sparks Master Plan as listed in the staff report.**

RELATIONSHIP TO MASTER PLAN

This request for Tentative Approval for an amendment to the Wingfield Springs Planned Development Handbook is subject to the goals and policies of the Sparks Master Plan and the Northern Sparks Sphere of Influence (NSSOI) Plan. The proposed changes must be consistent with the intent of the plans.

1. Estate Density Residential (EDR)

Land utilized primarily for very low, residential densities. Predominant use is single-family homes and accessory uses to a single-family residence. Parks, open space, schools, churches and public facilities and utilities may be permitted by discretionary entitlement in these designated land use areas. To allow freedom of design and to preserve open space and environmentally sensitive areas, Planned Development zoning (PD) may be applied to any area designated EDR for entitlement and construction.

This land use designation is generally found in the north and east portion of the City and the City's Sphere of Influence Area boundary. This residential designation functions as the least intensive urban land use. To allow freedom of design and to preserve open space and environmentally sensitive areas, Estate Density Residential developments may utilize the Planned Development process for entitlement and construction. Special consideration should be given to traffic ingressing and egressing any EDR development. The Single-Family Residential EDR should be accessed from collector and local streets only.

Of all urban activities, the EDR areas are the most sensitive to incompatible uses and impact from adjacent activities. These land use designations are usually buffered from commercial or industrial land uses by Single-Family Residential, Mixed Residential, parks, and by open space, sound or visual barriers.

2. Low Density Residential (LDR)

Per the Master Plan document, Low Density Residential consists of land utilized for predominantly low density single-family homes and accessory uses to single-family residences. Parks, open spaces, schools, churches, public facilities and utilities may be permitted in these designated land use areas by discretionary entitlement. Planned Development zoning may be applied to any area designated LDR for entitlement and construction. TOD overlay zoning may be applied to any area designated LDR; in which case densities might be higher.

The Master Plan goes on to state that LDR areas are located near urban activity centers where urban services, utilities, transportation and public facilities are available. This land use designation is generally found North of Prater Way and between the east and west city boundaries and within the City's Sphere of Influence Area boundary.

Single family residential areas usually function as a low intensity urban land use. To allow freedom of design and to preserve open space and environmentally sensitive areas, the LDR may utilize the Planned Development process for entitlement and construction. Due to traffic safety considerations in these neighborhoods, LDR should obtain access from local and collector streets only. Although hazard zones, airport noise zones and property in floodways should be avoided, LDR neighborhoods can be built on moderate slopes.

Low density residential areas are the most sensitive to incompatible uses and impacts from adjacent activities. They are usually buffered from commercial activities by mixed residential, professional office uses, parks, offices, or by sound and visual barriers.

### 3. Low Medium Density Residential (LMDR)

Land utilized primarily for low-rise structures, duplexes, and multiple family dwellings. Single and two family dwellings are an appropriate use. Parks, necessary public facilities, churches, boarding houses, private recreational facilities and multiple family housing may be permitted by discretionary entitlement in these designated land use areas. Planned Development zoning may be applied to any area designated LMDR for entitlement and construction.

The LMDR areas are typically found adjacent to low density, residential areas and serve as a buffer transition area between the low density land uses and the more intensive commercial activity areas. This land use designation is located near major streets in the City and the City's Sphere of Influence area boundary.

Multiple-family uses should obtain access from arterial or collector streets. Pedestrian, bicycle and bus access are particularly important to provide links to nearby commercial services.

Clustering of buildings with common areas of open space and recreational uses and the use of the Planned Development process, for freedom of design and optional use of the development site, is encouraged in this land use designation. The building site size may vary depending on the number of dwelling units. Special consideration will be given to relationships between multiple residential parcels and adjacent land uses. As with the single family residential uses, the LMDR designated areas should not be located in places that are hazardous to human safety and well being such as floodplains and airport noise impact areas. Slope and soil or geological constraints are of concern in multi-residential areas due to the larger building site size requirements and higher densities.

LMDR sites have smaller yards than single-family lots. LMDR designated areas should be accompanied by recreational facilities, open space or other amenities. Due to noise, dust, traffic and lighting impacts LMDR should not be located adjacent to industrial, commercial/industrial and tourist commercial land uses unless adequately buffered from those impacts.

#### 4. Medium Density Residential (MDR)

Land utilized primarily for low rise structures and multiple-family dwelling units and accessory uses (apartments, condominiums, tri-plexes, etc.). Single-family and two family dwellings are an appropriate use. Parks, necessary public facilities, churches and boarding houses, private recreational facilities and multiple family residences may be permitted by discretionary entitlement in these designated land use areas. Planned Development zoning may be applied to any area designated MDR for entitlement and construction.

The MDR areas are typically found close to more intensive urban activity centers where a full range of urban services, utilities, transportation and public facilities are available. This land use designation is generally located near major streets in the City and the City's Sphere of Influence Area boundary.

MDR areas frequently serve to buffer single-family residential areas from commercial activity. Multiple-residential districts are especially suitable adjacent to neighborhood or community shopping centers.

Multiple-family uses should obtain access from arterial or collector streets. Pedestrian, bicycle and bus access are particularly important to provide links to nearby commercial services.

Clustering of buildings with common areas of open space and recreational uses and the use of the Planned Development process for freedom of design and optimal use of the development site is encouraged in this land use designation. The building site size may vary, depending on the number of dwelling units. Special consideration will be given to relationships between multiple-residential parcels and adjacent land uses.

MDR areas are located where the full range of urban services, public facilities and utilities are available. As with single-family residential areas, MDR designated areas should not be located in places that are hazardous to human safety and well-being such as floodplains and airport noise impact areas. Slope and soil or geologic constraints are of concern in multi-residential areas due to the larger building site size requirements and higher population densities.

MDR sites have smaller yards than single-family lots. MDR designated areas should be accompanied by recreational facilities, open space or other amenities. MDR may be located adjacent to parks, or office districts, but, due to noise, traffic and lighting impacts are not generally suitable adjacent to industrial, commercial/industrial or tourist commercial land uses unless adequately buffered from those impacts.

#### 5. High Density Residential (HDR)

Land utilized primarily for high density, low-rise and high-rise multiple-family dwelling units and accessory structures (apartments, condominiums, etc.). Parks, churches, necessary public facilities and boarding houses may be permitted by discretionary entitlement in these

designated land use areas. Planned Development zoning may be applied to any area designated HDR for entitlement and construction.

The HDR areas are located near Commercial and Tourist Commercial land use designated areas in the City and the City's Sphere of Influence Area boundary. The HDR areas serve to buffer MDR from commercial activity. HDR areas are suitable adjacent to commercial and tourist commercial areas. The HDR uses should obtain access from arterial streets. Pedestrian, bicycle and bus access are particularly important to provide links to nearby commercial services.

Clustering of buildings with common areas of open space and recreational uses and the use of the Planned Development for freedom of design and optimal use of the development site is encouraged in this land use designation. The building site size may vary depending on the number of dwelling units. Special consideration will be given to the relationship between multiple-residential parcels and adjacent land uses.

HDR designated areas should not be located in places that are hazardous to human safety and well-being such as floodplains, earthquake faults, and airport noise impacted areas. Slope and soil or geologic constraints are of concern in multi-residential areas due to the larger, taller structure and larger site size requirements and higher population densities.

HDR sites have smaller yards than multiple-family lots. HDR designated areas should be accompanied by recreational facilities, open space or other amenities. HDR may be located adjacent to parks, office districts, tourist commercial and commercial areas, but due to noise and other impacts are not suitable adjacent to industrial and commercial/industrial land uses unless adequately buffered.

#### 6. General Commercial (GC)

Shopping, personal and professional service facilities and accessory uses in centers to meet the needs of the community. Areas usually contain food markets, comparison goods, medical clinics, child care and restaurants. Boarding houses, single and multiple family residential structures, public facilities, churches, drive-throughs, outdoor sales and services and automobile service stations may be permitted by discretionary entitlement in these designated land use areas. Planned Development zoning may be applied to the area designated GC for entitlement and construction.

The GC areas are located adjacent to major arterial street intersections in the City and the City's Sphere of Influence Area boundary. They are evenly distributed throughout the City at locations selected for convenience to clients and customers. Apartment dwellers usually find these centers within easy walking distance while residents in single-family homes can conveniently drive to them. General Commercial land use designated areas may include neighborhood, community or regional shopping centers. The parcels upon which the community or regional centers are located are of sufficient size to accommodate department stores, ancillary shops and offices, parking, separate delivery and trash removal areas and full

landscaping. General Commercial sites should accommodate sufficient pedestrian, bicycle, bus and vehicular circulation and parking. General Commercial sites are centers of intensive human activity and should not be located where severe physical constraints exist such as floodways, steep slopes, seismic hazards or where impacted by airport noise. Offices or mixed residential uses usually surround General Commercial shopping land use designated areas.

These uses provide zones of intermediate urban activity which buffer shopping centers from more sensitive uses such as single family residential. General Commercial areas also serve as places for community functions such as fairs, shows and special exhibits. The GC areas are suitable near other community facilities such as convention centers, recreational facilities, theaters, and parks.

#### 7. Open Space (OS)

Underdeveloped property upon which either passive recreation, agriculture, wetlands, or watershed protection occurs and includes steep hillsides, major drainage courses, floodways and flood plains.

Open space is designated throughout the City and the City's Sphere of Influence Area boundary in a variety of locations such as mountainous terrain, flood plains, along the Truckee River floodway, the gravel and barrow pits, designated wetlands in Spanish Springs Valley and Bureau of Land Management (BLM) controlled land.

Because of its underdeveloped condition, OS functions either as a location for passive recreational use or as a buffer area between intensive uses which may impact less intensive uses.

Open Space is a suitable land use designation for property identified as having geo-physical constraints. Open Space has been designated in the 100 year floodway of the Truckee River and its tributaries and along other drainage courses by virtue of the fact that no structures should be constructed in these areas due to potential flood damage. Open Space is located where physical or man-made constraints such as steep topography, geologic hazards, unstable soils, wetlands or other severe constraints may deter urban development. Some of the localities designated for open space serve as holding zones for urban development, places where urban development might occur if the geo-physical constraints and/or hazards are mitigated.

Areas of open space appear mainly on the outer fringes of the City. In most of these locations, commercial and industrial uses are not generally considered compatible adjacent to open space because commercial and industrial areas are usually found surrounded by urban activity.

#### 8. Emerging Employment Centers (EEC)

Emerging employment centers are areas where rapid employment growth is currently occurring, where it's planned, and where job centers are needed to provide for a jobs-housing

balance within the region. Infrastructure provisions, sustainable resource management, and minimizing sprawl are all furthered by identification and intensification of emerging employment centers. Location of employment centers along major arterials, on planned public transit routes, and within residential neighborhoods located on the edge of the community, helps reduce the dependence on the private automobile, helps reduce vehicle miles traveled, and encourages reduced commute travel patterns.

The land use goals, policies and action strategies in the 1991 Master Plan update (and subsequent 2002-2003 amendments) relevant to this project include the following:

#### HOUSING

**GOAL H1:** To provide a spectrum of housing to meet the City's needs, ranging from affordable entry level to more expensive homes, emphasizing value and quality.

#### **POLICIES**

**H1a.** Plan for adequate residentially zoned property for the development of housing for all income groups.

**GOAL H4:** To provide for the housing needs associated with the business and industry in Sparks.

#### **POLICIES**

**H4b.** Monitor residential development and the housing needs associated with commercial or industrial employment during the project review process to evaluate the jobs/housing balance.

#### LAND USE

**GOAL LU1:** To create a growth pattern which assures flexible, feasible and efficient developments and which includes natural and cultural amenities.

#### **POLICIES**

**LU1a.** The City will support a preferred growth pattern which applies consistent and uniform standards to areas planned for similar uses.

**LU1b.** The City will ensure that development is in accord with the Master Plan and other land use controls to accomplish growth management goals.

- LU1c.** The City will approve development plans which address conditions unique to the developing area to minimize impacts to adjacent properties and assure protection of natural and cultural resources.

**ACTION STRATEGIES**

1. Apply appropriate sections of the City's Municipal Code to all development proposals.
2. Allow only developments which meet the proper land use designation of the City's Master Plan and the Regional Master Plan.
3. Review all projects in relation to their geographic location, impacts to adjacent communities, fiscal impact and mitigation measures to protect natural and cultural resources. Apply specific conditions of approval tailored for each development proposal.

**GOAL LU4:** To ensure areas for open space, recreation and greenbelts. To create identifiable entrances and gateways to the City.

**POLICIES**

- LU4a.** The City supports the protection of wetlands and wildlife habitats.
- LU4c.** The City supports all scenic and recreational resources to be preserved as open space within planned developments and/or cluster type projects.

**ACTION STRATEGIES**

1. Create land uses to designate and protect wetlands and wildlife habitats.
2. Establish designated areas for parks and joint development of recreational facilities

**GOAL LU5:** To support land uses and development that assures an appropriate balance of population, housing, and employment distribution within the City.

**POLICIES**

- LU5a.** The City will encourage land uses and development which maintains a balance of population, housing and employment within urban and emerging growth areas.

- LU5b. The City will support sustainable economic development resulting in efficient use of resources.
- LU5c. The City will provide adequate land for future non-residential development.
- LU5e. The City will ensure development of employment centers that preserve and enhance the character of neighborhoods, the natural environment, and visual integrity of surrounding viewsheds.
- LU5f. The City will ensure development of employment centers in close proximity to established or developing residential areas, along major arterials or freeways, on public transit routes, or implementation of other vehicle trip reduction strategies.
- LU5g. The City will encourage employment center development on infill sites.
- LU5h. The City will ensure pedestrian connections throughout emerging employment center developments and to nearby residential areas.

## CONSERVATION

**GOAL C2: To conserve and protect the quality of water.**

### **ACTION STRATEGIES**

- 3. Develop Planned Development guidelines which include the provision of open space belts that inter-connect in a network whereby open space can act as a recharge and natural flood control basin and habitat reserve.

**GOAL C4: To manage air quality, consistent with Federal standards, that will provide for healthy living and the maintenance of clear views.**

### **POLICIES**

- C4a. The City of Sparks will pursue a reduction in long term vehicle trips through the implementation of land use plans that encourage infill development, urban densities, and realistic jobs/housing balances. The benefits to such a policy include: fewer vehicle miles and hence less vehicle emission, reduced infrastructure requirements. The potential drawbacks to such an approach might include some reduction of open space corridors and market concerns over relative higher densities or intensities.



## **ACTION STRATEGIES**

2. Actively encourage ride share programs, particularly for large employers, such as those with an excess of 100 employees. Publicly recognize those employers currently undertaking or committing to such programs. Direct private involvement might take the form of an in-house trip-reduction coordinator with duties similar to those outlined in the Regional Transportation Commissions' Employer Trip Reduction Coordinator Manual.
4. Incorporate, where feasible, the inclusion of bikeways walking paths, and other alternative modes of transportation in planning programs and future development plans.

## **NSSOI**

### **CONSERVATION**

#### **Cultural and Scenic Resources**

**GOAL NSSOI1:           Ensure that the primary scenic views of the planning area from the Pyramid Lake Highway and Spanish Springs Road are protected.**

#### **POLICIES**

- NSSOI 1a.    A minimum 25 foot buffer should be provided between all property lines and pavement along all arterial streets. Fences, walls or structures should be discouraged in these areas. At time of subdivision application review, a landscape/xeriscape theme should be evaluated.
- NSSOI 1b.    Encourage undergrounding of overhead lines and other utilities for any new development within the planning area and along major arterial streets.
- NSSOI 1c.    The development design should be encouraged to provide open space linkages to establish a trail network system throughout the planning area.

### **LAND USE**

**GOAL NSSOI22:       Support master planned developments and master development agreements.**

#### **POLICIES**

- NSSOI 22a.   Require developers to prepare development standards handbooks for all residential, commercial and restricted industrial/business park projects which

outline architectural guidelines and performance standards in accordance with the policies in this plan.

NSSOI 22b. Encourage the creation of a separate community identity for the area.

**GOAL NSSOI23:** Encourage a mix of land uses and densities to promote a balanced community with residential, commercial, through architectural guidelines, signage and development standards restricted industrial, business and recreational areas.

#### POLICIES

NSSOI 23a. Prohibit heavy industrial uses in the planning area. Support County plan amendments to allow restricted, light industrial uses north and west of the planning area.

**GOAL NSSOI24:** Maintain an overall gross density of 2 dwelling units per acre in the planning area.

#### POLICIES

NSSOI 24b. Support the concept of clustering throughout the planning area.

NSSOI 24c. Require buffer areas between residential and non-residential uses.

The proposed project as recommended by staff will comply with the goals, objectives, policies, and action strategies as listed.

#### FINDING MP3:

**The Master Plan Amendment would be compatible with surrounding land uses.**

#### SURROUNDING LAND USES, ZONING, AND DENSITY

- North: 2 DU/AC (2 Dwelling Units per Acre) / PD (Planned Development – Cimarron)
- East: 3 DU/AC (3 Dwelling Units per Acre), 5 DU/AC (5 Dwelling Units per Acre)/NUD (New Urban District – Foothills at Wingfield Springs)
- South: 3 DU/AC (three dwelling units to the acre, 4 DU/AC (4 Dwelling Units per Acre)/NUD (New Urban District – Miramonte)
- West: General Commercial, Business Park, 4 DU/AC (4 Dwelling Units per Acre)/PD (Planned Development – Pioneer Meadows)

Village 5, which is located adjacent to proposed Village 5A, has the Amenity Lot designation which requires 10,000 square feet minimum lot size, is comprised of mostly custom homes, and has provisions to reduce the setbacks based on the lot abutting an amenity (open space) It appears that at least one and possibly several existing home took advantage of this provision. Therefore it's staff opinion that the proposed Village 5A is not compatible with the existing

surrounding land uses. The locational criteria in the land use plan suggests that residential land use is appropriate adjacent to other residential land uses, particularly when looking at the difference between 4 du/ac and 6 du/ac. The land use plan considers these densities to be Low Density Residential (LDR). However, when looking at the physical development that has taken place, it's evident that there is a lack of compatibility between the Amenity Lots of Village 5 and the Patio Homes proposed for Village 5A.

Village 20A is proposed to be Builder Lots which is the same designation as the adjacent Village 20 at a density of 4 du/ac. From a land use perspective, the proposed changes are appropriate. Because staff cannot make several PD Findings relative to Village 20A, it's difficult for staff to support the master plan amendment for Village 20. Even if the master plan amendment was approved, the planned development handbook still designated this particular area as open space. It doesn't seem appropriate to approve a master plan amendment when staff cannot support the associated handbook amendments. The residents relied upon the plan and the fact that the area adjacent to their lot is designated as golf course/open space. Because of this, staff does not believe the amendment would be compatible with the existing surrounding zoning.

Staff can support the proposed amendments to Village 27. Staff does not believe this modification will impair the reasonable reliance of the adjacent residents upon the provision of the plan and will not adversely affect the enjoyment of land abutting the project site. The development will actually gain some additional open space.

There is a possibility that Village 28 could have some type of impact on the residents who live in the Vistas off of Spandrell Circle. However, the handbook already contemplates this village. This request for a Master Plan Amendment came at the request of staff because the land use designation is open space. Because the village was approved previously, staff wanted to ensure that the land use designation was consistent with the provisions in the handbook. This request does not propose any modification to the handbook. Therefore, staff can support this request.

**FINDING MP4:**

**Public notice was given and a public hearing held per the requirements of Nevada Revised Statutes and Sparks Municipal Code.**

Public notice was given per the requirements of the Sparks Municipal Code and the Nevada Revised Statutes. The Planning Commission and City Council meetings function as the public hearing for this item.

**PLANNED DEVELOPMENT FINDINGS:**

*PD1 The plan is consistent with the objective of furthering the public health, safety, morals and general welfare by providing for housing of all types and design.*

**The plan does provide housing of all types and design. Therefore, the plan is consistent with the objective of furthering the public health, safety, morals, and general welfare.**

*PD2 The plan is consistent with all the objective of furthering the public health, safety, morals and general welfare by providing for necessary commercial and industrial facilities conveniently located to the housing.*

**The proposed amendments include revising the handbook to change open space to residential as well as change several commercially designated areas to residential. Given the amount of commercial development in the vicinity of Wingfield Springs, staff has concluded that necessary commercial is conveniently located. There are no industrial facilities included in this plan or in proximity to this development.**

*PD3 The plan is consistent with the objective of furthering the public health, safety, morals and general welfare by providing for the more efficient use of land and public or private services.*

**The plan is consistent with the objective of furthering the public health, safety, morals and general welfare by providing for the more efficient use of land and public or private services by utilizing existing infrastructure and the efficient use of that infrastructure without the need to extend major facilities.**

*PD4 The plan is consistent with the objective of furthering the public health, safety, morals and general welfare by providing for changes in technology of land development so that resulting economies may be available to those in need of homes.*

**The proposed amendments do not substantially alter the mix of housing types or technologies. The proposed changes would allow for more efficient use of available land with existing infrastructure.**

*PD5 The plan is consistent with the objective of furthering the public health, safety, morals and general welfare by providing for flexibility of substantive regulations over land development so that proposals for land development are disposed of without undue delay.*

**The Wingfiled Springs Planned Development Hnadbook provides for flexibility of substantive regulations over land development and this will not be affected by the proposed handbook amendment.**

*PD6 The plan does not depart from zoning and subdivision regulations otherwise applicable to the property, and these departures are in the public interest for density.*

**Based upon a review of the City of Sparks Land Use designations for the Wingfield Springs Planned Development, the proposed new villages and densities are under the Land Use residential allotment. The development was approved for 2,564 total units. Including the units proposed in this amendment, the developer is still 183 lots below the total number of units allowed. As such, the “departures” are in the public interest as the Planned Development provides less residential units than are currently allowed within the planned development handbook.**

*PD7 The plan does not depart from zoning and subdivision regulations otherwise applicable to the property, and these departures are in the public interest for bulk.*

**The “bulk” standards within the Wingfield Springs Planned Development Handbook are not being modified with this amendment.**

*PD8 The plan does not depart from zoning and subdivision regulations otherwise applicable to the property, and these departures are in the public interest for use.*

**For the reasons listed in the analysis section above, staff is not supporting the proposed changes related to Villages 5A, 19C, and 20A. The uses proposed are not deviating from uses already included within the Wingfield Springs Planned Development Handbook. However, converting areas designated as open space within the planned development handbook to residential is not in the public interest. The modifications pertaining to Villages 5A, 19C, and 20A will impair the reasonable reliance of the residents upon the provisions of the plan and would adversely affect the enjoyment of land abutting upon or across a street from the planned unit development .**

**Staff believes the proposed modifications relating to Villages 27, 17A, and 31 do not adversely affect the enjoyment of land abutting upon or across a street from the planned unit development. Village 27 includes a modification that increases the lot count by 8 lots while at the same time increasing the amount of Open Space designated land by approximately 8 acres. Staff believes the increase in Open Space is in the public interest. Villages 17A and 31 are currently designated commercial and located such that staff believes they would not adversely affect the enjoyment of abutting land or that there is any impairment of the reasonable reliance of the residents upon the provisions of the plan.**

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

Proposed Villages 17A and 31 are currently designated commercial. The proposed changes would convert these commercially designated areas to residential. The ratio of residential to nonresidential use would increase. However, there is necessary commercial development within proximity of Wingfield Springs thus making this a suitable change.

*PD10 Common open space in the planned development exists for what purpose, is located where within the project, and comprises how many acres (or what percentage of the development site taken as a whole).*

Planned Developments are required to provide a minimum of 20% open space which may be comprised of a mix of wetlands, lakes, golf course, formal parks, and natural open space. Irrespective of its size, no golf course may contribute more than one quarter (25%) of the common open space required by the Planned Development Review Ordinance. This proposal does include a decrease in the amount of total open space, however, the development still maintains more than the minimum requirement of twenty percent (20%). The current handbook provides approximately 470 acres of open space or 28.8%, while this proposal decreases the open space to approximately 457 acres or 27.8%. The bulk of the open space is located in the southern portion of the development, south of Vista Boulevard.

As mentioned in Finding PD8, converting areas designated as open space within the planned development handbook to residential is not in the public interest. The modifications pertaining to Villages 5A, 19C, and 20A will impair the reasonable reliance of the residents upon the provisions of the plan and would adversely affect the enjoyment of land abutting upon or across a street from the planned unit development .

Staff believes the proposed modification to Village 27 does not adversely affect the enjoyment of land abutting upon or across a street from the planned unit development. Village 27 includes a modification that increases the lot count by 8 lots while at the same time increasing the amount of area designated as Open Space by approximately 8 acres. Staff believes the increase in Open Space is in the public interest.

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

In the Wingfield Springs Planned Development Handbook, common areas are defines as, *“those portions of the project site which do not fall within a residential or commercial parcel and will ultimately be owned in “common” by the Homeowners*

**Association.”** There are no guidelines that address the conservation of the common open space other than, once dedicated; the Homeowners Association will be responsible for maintenance. Chapter 20.18 of the Sparks Municipal Code does require a certain amount of open space be provided within planned developments, ensuring the preservation of open space.

*PD12 Given the plan’s proposed density and type of residential development, the amount and/or purpose of the common open space is determined to be adequate.*

**This request proposes a decrease in the amount of open space; however, the development will still exceed the minimum requirement of twenty percent (20%). The amount of open space is adequate for the residential uses provided.**

*PD13 The plan does provide for public services. If the plan provides for public services, then these provisions are adequate.*

**The public services provided to the project are adequate. No changes to the public facilities have been proposed. The existing infrastructure includes adequate capacity for the total number of residential units & commercial development included in the City’s Master Plan document.**

*PD14 The plan does provide control over vehicular traffic.*

**The proposed amendment does not modify the originally approved transportation plan for the Wingfield Springs Planned Development. The existing and proposed transportation improvements provide adequate capacity. Any development is subject to the Regional Transportation Commission’s Regional Road Impact Fee program.**

*PD15 The plan does provide for the furtherance of access to light, air, recreation and visual enjoyment.*

**The proposed changes do not impair the furtherance of access to light, air, or recreation. Staff cannot make this Finding as the modifications would have a potential impact to the visual enjoyment of adjacent properties, specifically Villages 5A, 19C, and 20A.**

**Staff believes the proposed modification to Village 27 does not adversely affect the enjoyment of land abutting upon or across a street from the planned unit development. Village 27 includes a modification that increases the lot count by 8 lots while at the same time increasing the amount of area designated as Open Space by approximately 8 acres. Staff can make this Finding as it relates to the proposed changes to Village 27.**

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

**Some of the proposed amendments are not a benefit to the neighborhood in which it is proposed.**

**In the case of the proposed Villages 5A, 19C, and 20A, staff cannot make the Finding that the proposed modification is beneficial to the neighborhood in which it is proposed.**

**Village 5A is proposed to be designated Patio Homes while the adjacent Village 5 is designated as Amenity Lots. Amenity Lots have a minimum lot size requirement of 10,000 square feet, provide setbacks that could, and in fact were, reduced based on the lot abutting an amenity (open space), and in the case of Village 5, is comprised of mostly custom homes. Staff believes the modification to create Village 5A is not compatible with the adjacent development, would impair the reasonable reliance of the adjacent residents upon the provision of the plan, and adversely affect the enjoyment of land abutting the project site. The residents relied upon the plan and the fact that the area adjacent to their lot is considered an amenity by being designated as open space. Although the overall development meets the minimum 20% open space requirement, the conversion of open space to residential land use could also have an adverse affect on adjacent property owners as for the same reasons mentioned above.**

**Even though the existing Master Plan land use designation for proposed Village 19C is 4 du/ac, the planned development handbook shows the area as being open space. As stated previously, while the overall development meets the minimum 20% open space requirement, creating this additional village could have an adverse affect on adjacent property owners. Staff believes this modification would impair the reasonable reliance of the adjacent residents upon the provision of the plan and adversely affect the enjoyment of land abutting the project site. The residents relied upon the plan and the fact that the area adjacent to their lot is designated as open space.**

**As discussed previously, while the overall development meets the minimum 20% open space requirement, creating this additional village could have an adverse affect on adjacent property owners. Staff believes this modification would impair the reasonable reliance of the adjacent residents upon the provision of the plan and adversely affect the enjoyment of land abutting the project site. The residents relied upon the plan and the fact that the area adjacent to their lot is designated as golf course/open space. Staff cannot support this change.**



Staff can make this Finding as it pertains to Villages 17A, 27, and 31. Staff does not believe these modifications will impair the reasonable reliance of the adjacent residents upon the provision of the plan and will not adversely affect the enjoyment of land abutting the project site and will be beneficial to the neighborhood.

*PD17 To the extent the plan proposed development over a number of years, the terms and conditions intended to protect the interests of the public, residents and owners of the planned development in the integrity of the plan are sufficient.*

The planned development is proposed to be completed over a number of years. The provisions set forth in the planned development handbook adequately protect the interests of the public, nearby residents, and owners of the development.

*PD18 The project, as submitted and conditioned, is consistent with the City of Sparks Master Plan.*

For the reasons listed in the analysis section above, staff is not supporting the proposed changes related to Villages 5A, 19C, and 20A. The uses proposed are not deviating from uses already included within the Wingfield Springs Planned Development Handbook. However, converting areas designated as open space within the planned development handbook to residential is not in the public interest. The modifications pertaining to Villages 5A, 19C, and 20A will impair the reasonable reliance of the residents upon the provisions of the plan, would adversely affect adversely affect the enjoyment of land, and does not preserve the integrity of the plan.

Staff believes the proposed modifications relating to Villages 27, 17A, and 31 do not adversely affect the enjoyment of land abutting upon or across a street from the planned unit development. Village 27 includes a modification that increases the lot count by 8 lots while at the same time increasing the amount of Open Space designated land by approximately 8 acres. Staff believes the increase in Open Space is in the public interest. Villages 17A and 31 are currently designated commercial and in locations that staff believes preserves the integrity of the plan and furthers the interest for the City and the residents.

*PD19 The project is consistent with the surrounding existing land uses.*

Village 5, which is located adjacent to proposed Village 5A, has the Amenity Lot designation which requires 10,000 square feet minimum lot size, is comprised of mostly custom homes, and setbacks could, and in fact were, reduced based on the lot abutting an amenity (open space). Therefore it's staff opinion that the proposed Village 5A is not compatible with the existing surrounding land uses. The locational criteria in the land use plan suggests that residential land use is appropriate adjacent

to other residential land uses, particularly when looking at the difference between 4 du/ac and 6 du/ac. The land use plan considers these densities to be Low Density Residential (LDR). However, when looking at the physical development that has taken place, it's evident that there is a lack of compatibility between the Amenity Lots of Village 5 and the Patio Homes proposed for Village 5A.

Village 20A is proposed to be Builder Lots which is the same designation as the adjacent Village 20 subdivision and both share a density of 4 du/ac. From a land use perspective, the proposed changes are appropriate. Because staff cannot make several PD Findings relative to Village 20A, it's difficult for staff to support the master plan amendment for Village 20. Even if the master plan amendment was approved, the planned development handbook still designated this particular area as open space. It doesn't seem appropriate to approve a master plan amendment when staff cannot support the associated handbook amendments. The residents relied upon the plan and the fact that the area adjacent to their lot is designated as golf course/open space. Because of this, staff does not believe the amendment would be compatible with the existing surrounding zoning.

Staff can support the proposed amendments to Village 27. Staff does not believe this modification will impair the reasonable reliance of the adjacent residents upon the provision of the plan and will not adversely affect the enjoyment of land abutting the project site. The development will actually gain some additional open space.

There is a possibility that Village 28 could have some type of impact on the residents who live in the Vistas off of Spandrell Circle. However, the handbook already contemplates this village. This request for a Master Plan Amendment came at the request of staff because the land use designation is open space. Because the village was approved previously, staff wanted to ensure that the land use designation was consistent with the provisions in the handbook. This request does not propose any modification to the handbook. Therefore, staff can support this request.

*PD20 Public Notice was given and a public hearing held per the requirements of the Sparks Municipal Code.*

Public notice was given per the requirements of the Sparks Municipal Code and the Nevada Revised Statutes. The Planning Commission and City Council meetings function as the public hearing for this item.

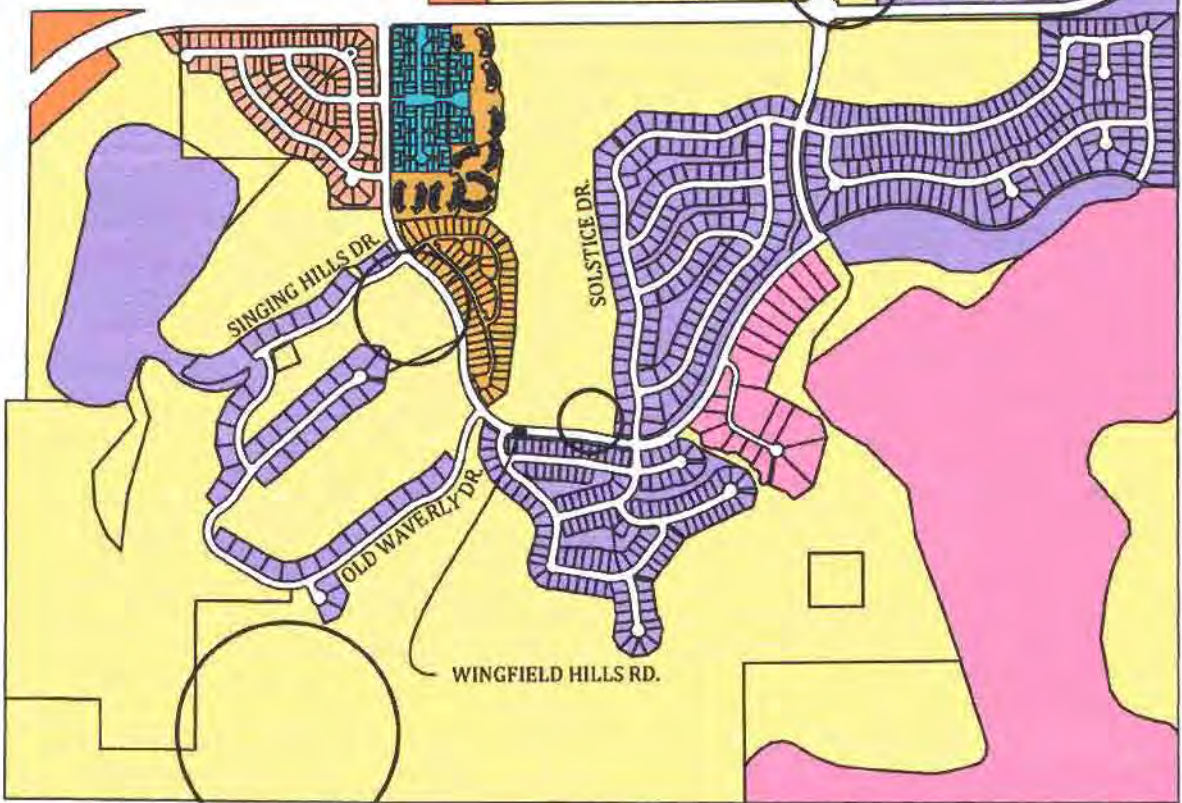
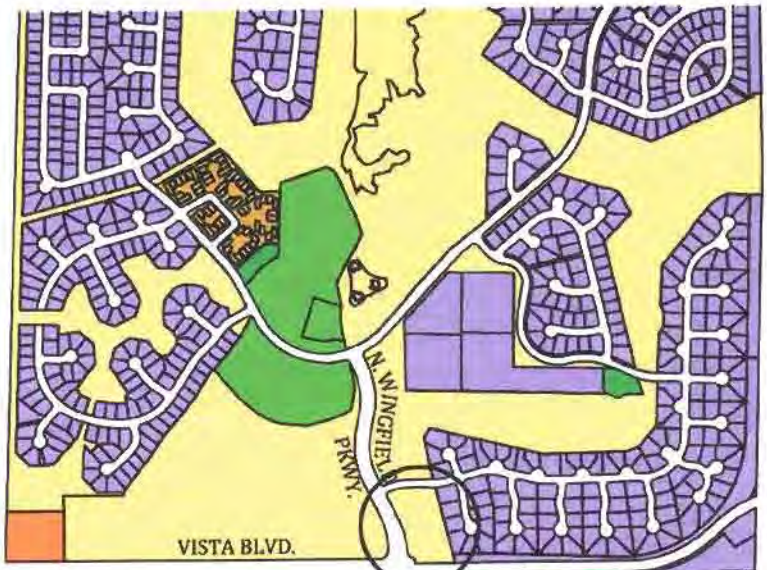
*PD21 Modification of Wingfield Springs Planned Development furthers the interest for the City and the residents and preserves the integrity of the plan.*

For the reasons listed in the analysis section above, staff is not supporting the proposed changes related to Villages 5A, 19C, and 20A. The uses proposed are not deviating from uses already included within the Wingfield Springs Planned Development Handbook. However, converting areas designated as open space within the planned development handbook to residential is not in the public interest. The modifications pertaining to Villages 5A, 19C, and 20A will impair the reasonable reliance of the residents upon the provisions of the plan, would adversely affect adversely affect the enjoyment of land, and does not preserve the integrity of the plan.

Staff believes the proposed modifications relating to Villages 27, 17A, and 31 do not adversely affect the enjoyment of land abutting upon or across a street from the planned unit development. Village 27 includes a modification that increases the lot count by 8 lots while at the same time increasing the amount of Open Space designated land by approximately 8 acres. Staff believes the increase in Open Space is in the public interest. Villages 17A and 31 are currently designated commercial and in locations that staff believes preserves the integrity of the plan and furthers the interest for the City and the residents.

**LEGEND**

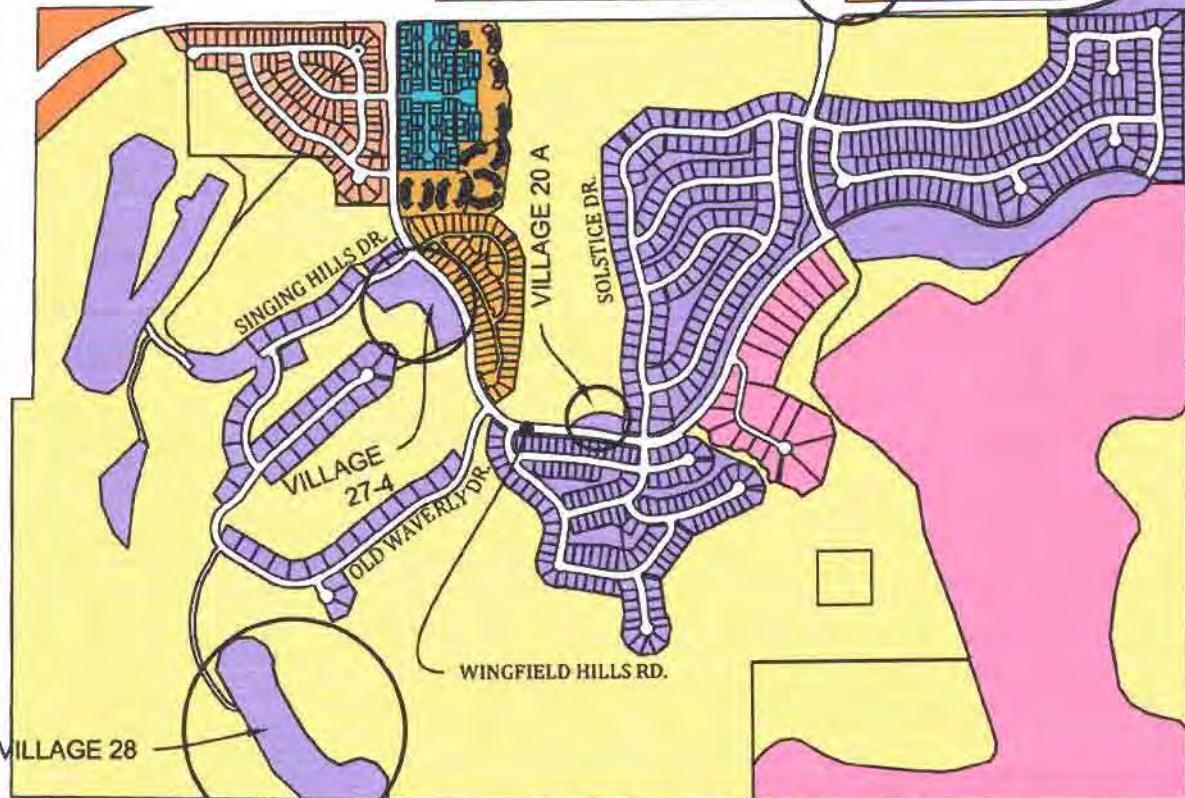
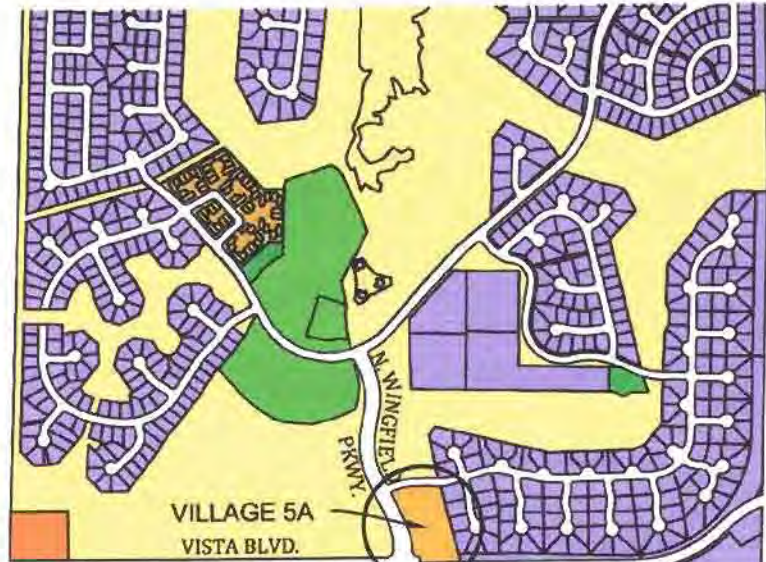
- 1 DU/AC
- 4 DU/AC
- 5 DU/AC
- 6 DU/AC
- 10 DU/AC
- 15 DU/AC
- GC
- PF
- GOLF COMM.
- PARK
- OS



**EXISTING MASTER PLAN**

**LEGEND**

- 1 DU/AC
- 4 DU/AC
- 5 DU/AC
- 6 DU/AC
- 10 DU/AC
- 15 DU/AC
- GC
- PF
- GOLF COMM.
- PARK
- OS



**PROPOSED MASTER PLAN**

LAND USE		
	EXISTING	PROPOSED
VILLAGE 5A	O.S.	6 DU./AC.
VILLAGE 20A	O.S.	4 DU./AC.
VILLAGE 27-4	O.S.	4 DU./AC.
VILLAGE 28	O.S.	4 DU./AC.

RESOLUTION NO. 195

INTRODUCED BY SPARKS PLANNING COMMISSION

A RESOLUTION TO DENY A CHANGE OF THE MASTER PLAN LAND USE DESIGNATION FROM OPEN SPACE (OS) TO 6 DWELLING UNITS PER ACRE (DU/AC) ON 2.67 ACRES (VILLAGE 5A) GENERALLY LOCATED NORTHEAST OF THE INTERSECTION OF VISTA BOULEVARD AND WINGFIELD PARKWAY, SOUTH OF REY DEL SIERRA DRIVE, SPARKS, NV.

WHEREAS, the City of Sparks Planning Commission reviews on a regular basis requests for amendment of the City's Master Plan; and

WHEREAS, the proposed Master Plan amendment would not be in conformance with the Regional Plan Policy 1.2.18 which requires design and intensity standards to maintain the character of nearby residential areas; and

WHEREAS, the proposed Master Plan amendment would impair the implementation of Goals LU1, LU4, C2, C4, NSSOI1, NSSOI22, NSSOI23, and NSSOI24, and policies/objectives LU1a, LU1b, LU1c, LU4a, LU4c, C4a, NSSOI1a, NSSOI1b, NSSOI1c, NSSOI22a, NSSOI22b, NSSOI24b, and NSSOI24c of the Sparks Master Plan;

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Sparks that the Master Plan amendment associated with PCN12010 be denied leaving the Master Plan Land Use Designation as Open Space (OS) on 2.67 acres generally located northeast of the intersection of Vista Boulevard and Wingfield Parkway, south of Rey Del Sierra Drive, Sparks, NV.

PASSED AND ADOPTED the 17th day of May, 2012, by the following vote of the Planning Commission:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

Approved this 17th day of May, 2012, by:

\_\_\_\_\_  
DOUG VOELZ, CHAIRMAN

ATTEST:

APPROVED AS TO FORM & LEGALITY:

\_\_\_\_\_  
PLANNING COMMISSION SECRETARY

\_\_\_\_\_  
CHESTER H. ADAMS, CITY ATTORNEY

RESOLUTION NO. 196

INTRODUCED BY SPARKS PLANNING COMMISSION

A RESOLUTION TO DENY A CHANGE OF THE MASTER PLAN LAND USE DESIGNATION FROM OPEN SPACE (OS) TO 4 DU/AC ON 1.16 ACRES (VILLAGE 20A) GENERALLY LOCATED NORTH OF WINGFIELD HILLS ROAD AND WEST OF SOLSTICE DRIVE, SPARKS, NV.

WHEREAS, the City of Sparks Planning Commission reviews on a regular basis requests for amendment of the City's Master Plan; and

WHEREAS, the proposed Master Plan amendment would not be in conformance with the Regional Plan Policy 1.2.18 which requires design and intensity standards to maintain the character of nearby residential areas; and

WHEREAS, the proposed Master Plan amendment would impair the implementation of Goals LU1, LU4, C2, C4, NSSOI1, NSSOI2, NSSOI23, and NSSOI24, and policies/objectives LU1a, LU1b, LU1c, LU4a, LU4c, C4a, NSSOI1a, NSSOI1b, NSSOI1c, NSSOI22a, NSSOI22b, NSSOI24b, and NSSOI24c of the Sparks Master Plan;

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Sparks that the Master Plan amendment associated with PCN12010 be denied leaving the Master Plan Land Use Designation as Open Space (OS) on 1.16 acres generally located north of Wingfield Hills Road and west of Solstice Drive, Sparks, NV.

PASSED AND ADOPTED the 17th day of May, 2012, by the following vote of the Planning Commission:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

Approved this 17th day of May, 2012, by:

\_\_\_\_\_  
DOUG VOELZ, CHAIRMAN

ATTEST:

APPROVED AS TO FORM & LEGALITY:

\_\_\_\_\_  
PLANNING COMMISSION SECRETARY

\_\_\_\_\_  
CHESTER H. ADAMS, CITY ATTORNEY

A RESOLUTION ADOPTING A CHANGE OF MASTER PLAN LAND USE DESIGNATION FROM OPEN SPACE (OS) TO 4 DU/AC ON 3.7 ACRES AND CHANGE THE LAND USE DESIGNATION ON APPROXIMATELY 8 ACRES FROM 4 DU/AC TO OPEN SPACE (VILLAGE 27) GENERALLY LOCATED AROUND SINGING HILLS DRIVE AND OLD WAVERLY DRIVE, WEST OF WINGFIELD HILLS ROAD, SPARKS, NV.

WHEREAS, the City of Sparks Planning Commission reviews on a regular basis requests for amendment of the City's Master Plan; and

WHEREAS, the proposed Master Plan amendment would be in conformance with the Regional Plan land use/intensity designation with an emphasis on infill opportunities and would further Regional Plan Goals 1.1 and 1.2 and policies/objectives 1.2.2, 1.2.18; and

WHEREAS, the proposed Master Plan amendment would implement Goals H1, H4, LU1, LU4, LU5, C2, C4, NSSOI1, NSSOI22, NSSOI23, NSSOI24 and policies/objectives H1a, H4b, LU1a, LU1b, LU1c, LU4a, LU4c, LU5a, LU5b, LU5c, LU5e, LU5f, LU5g, LU5h, C4a, NSSOI 1a, NSSOI 1b, NSSOI 1c, NSSOI 22a, NSSOI 22b, NSSOI 23a, NSSOI 23b, NSSOI 24b, and NSSOI 24c of the Sparks Master Plan; and

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Sparks that the Master Plan amendment associated with PCN12010 be adopted by removing 3.7 acres of Open Space (OS) and incorporating 3.7 acres of 4 du/ac and removing approximately 8 acres of 4 du/ac and incorporating approximately 8 acres of Open Space (OS) generally located around Singing Hills Drive and Old Waverly Drive, west of Wingfield Hills Road into the Land Use Element of the Master Plan.

PASSED AND ADOPTED the 17th day of May, 2012, by the following vote of the Planning Commission:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

Approved this 17th day of May, 2012, by:

\_\_\_\_\_  
DOUG VOELZ, CHAIRMAN

APPROVED AS TO FORM & LEGALITY:

\_\_\_\_\_  
CHESTER H. ADAMS, CITY ATTORNEY

ATTEST:

\_\_\_\_\_  
PLANNING COMMISSION SECRETARY



A RESOLUTION ADOPTING A CHANGE OF MASTER PLAN LAND USE DESIGNATION FROM OPEN SPACE (OS) TO 4 DU/AC ON 10.9 ACRES (VILLAGE 28) GENERALLY LOCATED SOUTH OF OLD WAVERLY DRIVE ADJACENT TO THE VISTAS PLANNED DEVELOPMENT, SPARKS, NV

WHEREAS, the City of Sparks Planning Commission reviews on a regular basis requests for amendment of the City's Master Plan; and

WHEREAS, the proposed Master Plan amendment would be in conformance with the Regional Plan land use/intensity designation with an emphasis on infill opportunities and would further Regional Plan Goals 1.1 and 1.2 and policies/objectives 1.2.2, 1.2.18; and

WHEREAS, the proposed Master Plan amendment would implement Goals H1, H4, LU1, LU4, LU5, C2, C4, NSSOI1, NSSOI22, NSSOI23, NSSOI24 and policies/objectives H1a, H4b, LU1a, LU1b, LU1c, LU4a, LU4c, LU5a, LU5b, LU5c, LU5e, LU5f, LU5g, LU5h, C4a, NSSOI 1a, NSSOI 1b, NSSOI 1c, NSSOI 22a, NSSOI 22b, NSSOI 23a, NSSOI 23b, NSSOI 24b, and NSSOI 24c of the Sparks Master Plan; and

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Sparks that the Master Plan amendment associated with PCN12010 be adopted by removing 10.9 acres of Open Space (OS) and incorporating 10.9 acres of 4 du/ac generally located south of Old Waverly Drive adjacent to the Vistas Planned Development into the Land Use Element of the Master Plan.

PASSED AND ADOPTED the 17th day of May, 2012, by the following vote of the Planning Commission:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

Approved this 17th day of May, 2012, by:

\_\_\_\_\_  
DOUG VOELZ, CHAIRMAN

ATTEST:

APPROVED AS TO FORM & LEGALITY:

\_\_\_\_\_  
PLANNING COMMISSION SECRETARY

\_\_\_\_\_  
CHESTER H. ADAMS, CITY ATTORNEY

## RED HAWK LAND COMPANY, LLC

### Business Entity Information

Status:	Active	File Date:	12/6/1993
Type:	Domestic Limited-Liability Company	Entity Number:	LLC15911-1993
Qualifying State:	NV	List of Officers Due:	12/31/2012
Managed By:	Managers	Expiration Date:	12/6/5000
NV Business ID:	NV19931005457	Business License Exp:	12/31/2012

### Additional Information

Central Index Key:	
--------------------	--

### Registered Agent Information

Name:	CARL SAVELY	Address 1:	6600 NORTH WINGFIELD PARKWAY
Address 2:		City:	SPARKS
State:	NV	Zip Code:	89436
Phone:		Fax:	
Mailing Address 1:		Mailing Address 2:	
Mailing City:		Mailing State:	NV
Mailing Zip Code:			
Agent Type:	Noncommercial Registered Agent		

### Financial Information

No Par Share Count:	0	Capital Amount:	\$ 0
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No stock records found for this company

### Officers

 Include Inactive Officers

#### Manager - THOMAS A SEENO

Address 1:	1850 MT DIABLO BLVD #440	Address 2:	
City:	WALNUT CREEK	State:	CA
Zip Code:	94596	Country:	
Status:	Active	Email:	

#### Manager - ALBERT D SEENO JR

Address 1:	4021 PORT CHICAGO HWY	Address 2:	BOX 4113
City:	CONCORD	State:	CA
Zip Code:	94520	Country:	
Status:	Active	Email:	

### Actions\Amendments

Action Type:	Articles of Organization		
Document Number:	LLC15911-1993-001	# of Pages:	9
File Date:	12/6/1993	Effective Date:	
(No notes for this action)			
Action Type:	Amendment		

Document Number:	LLC15911-1993-003	# of Pages:	1
File Date:	2/3/1994	Effective Date:	
<b>SPANISH SPRINGS ACQUISITION LIMITED LIABILITY COMPANY P TB 4 ^h 001</b>			
Action Type:	Annual List		
Document Number:	LLC15911-1993-010	# of Pages:	1
File Date:	12/6/1998	Effective Date:	
<b>(No notes for this action)</b>			
Action Type:	Annual List		
Document Number:	LLC15911-1993-012	# of Pages:	1
File Date:	12/15/1999	Effective Date:	
<b>(No notes for this action)</b>			
Action Type:	Annual List		
Document Number:	LLC15911-1993-009	# of Pages:	1
File Date:	1/4/2001	Effective Date:	
<b>(No notes for this action)</b>			
Action Type:	Amendment		
Document Number:	LLC15911-1993-004	# of Pages:	2
File Date:	1/25/2001	Effective Date:	
<b>CERTIFICATE OF AMENDMENT FILED AMENDING ARTICLES 2 (DURATION TO PERPETUAL) AND 4 AND DELETING ARTICLE 7. (2)PGS. DMF</b>			
Action Type:	Annual List		
Document Number:	LLC15911-1993-007	# of Pages:	1
File Date:	12/17/2001	Effective Date:	
<b>(No notes for this action)</b>			
Action Type:	Annual List		
Document Number:	LLC15911-1993-008	# of Pages:	1
File Date:	11/5/2002	Effective Date:	
<b>(No notes for this action)</b>			
Action Type:	Annual List		
Document Number:	LLC15911-1993-011	# of Pages:	1
File Date:	1/12/2004	Effective Date:	
<b>(No notes for this action)</b>			
Action Type:	Amendment		
Document Number:	LLC15911-1993-005	# of Pages:	1
File Date:	11/5/2004	Effective Date:	
<b>AMENDMENT TO ARTICLES OF AMENDMENT FILED AMENDING ARTICLE 1. (NAME) (1)PG FRA LOEB ENTERPRISES LIMITED LIABILITY COMPANY FRABH 8 00002</b>			
Action Type:	Registered Agent Change		
Document Number:	LLC15911-1993-006	# of Pages:	1
File Date:	12/20/2004	Effective Date:	
<b>LIONEL SAWYER &amp; COLLINS, LTD SUITE 1100 50 WEST LIBERTY ST RENO NV 89501 MTF</b>			
Action Type:	Annual List		
Document Number:	LLC15911-1993-002	# of Pages:	1
File Date:	12/20/2004	Effective Date:	
<b>List of Officers for 2004 to 2005</b>			
Action Type:	Annual List		
Document Number:	20050482150-37	# of Pages:	1
File Date:	10/14/2005	Effective Date:	
<b>(No notes for this action)</b>			
Action Type:	Annual List		
Document Number:	20060650063-68	# of Pages:	1
File Date:	10/10/2006	Effective Date:	

<b>(No notes for this action)</b>			
Action Type:	Annual List		
Document Number:	20070781633-57	# of Pages:	1
File Date:	11/14/2007	Effective Date:	
<b>(No notes for this action)</b>			
Action Type:	Annual List		
Document Number:	20080731251-09	# of Pages:	1
File Date:	11/3/2008	Effective Date:	
<b>08/09</b>			
Action Type:	Annual List		
Document Number:	20090915991-75	# of Pages:	1
File Date:	12/29/2009	Effective Date:	
<b>09-10</b>			
Action Type:	Registered Agent Change		
Document Number:	20100601492-15	# of Pages:	1
File Date:	8/9/2010	Effective Date:	
<b>(No notes for this action)</b>			
Action Type:	Annual List		
Document Number:	20100921847-84	# of Pages:	1
File Date:	12/13/2010	Effective Date:	
<b>(No notes for this action)</b>			
Action Type:	Annual List		
Document Number:	20110873519-07	# of Pages:	1
File Date:	12/13/2011	Effective Date:	
<b>(No notes for this action)</b>			

May 14, 2012

City of Sparks  
Planning Commission

Re: PCN 12010

Planning Commissioners,

I am writing this letter in opposition to the elements of the Master Plan Amendment PCN12010. I Will probably not be able to attend your meeting on May 17, 2012 because I will be out of town for a business meeting, so please accept this letter as my comments on this matter.

*We live at 2550 Old Waverly Ct., Sparks, Nevada , which is adjacent to parts of the stated Master Plan Amendment. In particular, the planned amendment to village 27 is directly below our house.*

*When we purchased our lot , we did so for many reasons. One of the primary reasons was the open space from our house to Singing Hills Road and Wingfield Hills Road below us. The open space and natural terrain of the sloping hill from our house to Singing Hills Road and Wingfield Hills Road is included in this designated open space in the original ( current ) Master Plan and was one of our considerations for our lot purchase and building our home on the lot.*

*When we bought and when we built our home, this was designated as open space on the City's Master Plan and we are opposed to any change in this designation for any future development.*

*Also, the proposed area in village 27 contains very steep slopes and would require severe cutting into the hill, causing terrible scarring of the natural slope and beauty of the hill.*

*We are very aware of the development and establishment of the original Master Plan for Wingfield Springs and all the time, planning and work that went into the final version, which contained this designated open space. I am very OPPOSED to changing any open space that has been part of the Master Plan since its inception , especially when there is residential development contiguous to the open space. Many people have invested greatly in their homes to enjoy this open space and I would greatly request that the Master Plan NOT be changed to take away this open space.*

*Thank you for your consideration,*

*Denis Humphreys  
Rocky Humphreys*

*2550 Old Waverly Ct.  
Sparks, NV 89436*

## Thompson, Tim

---

**From:** Nicholas Strozza [strostar@yahoo.com]  
**Sent:** Monday, May 14, 2012 2:48 PM  
**To:** Thompson, Tim  
**Subject:** PCN 12010 Red Hawk Plan Amendment. Objection by Nicholas Strozza  
**Attachments:** Wingfield Amendment Objections.docx

Dear Mr. Thompson: Attached and set forth below are my objections to the Red Hawk Master Plan Amendment I hope to present to the City Council on Thursday. Nick Strozza

The Red Hawk Master Plan amendment should be denied for four principal reasons. First, the proposed changes do not comport with the original intent of the developer or the theme of the community. In short, the modifications are inappropriate to the past and current land use. Second, the changes are inconsistent with the representations to and understanding of current homeowners regarding community, open space and density. Put simply, the proposed exploitation of adjacent land will destroy the Wingfield quality of life. Third, homeowners will suffer a permanent and perpetual diminution in the value of their property. That is, residents will be adversely affected by an immediate reduction in their current property value and in their appreciation potential in exchange for the short term profit of the developer. Fourth, the modifications do not satisfy the applicable requirements of NRS 280A.

Let me take one of the developer's proposals to illustrate the justification for my objections and the grounds to deny the amendment. I believe Village 5A is a proposal to build 18 patio homes at the site of the Windmill and entrance to Wingfield Springs. The proposal is a travesty to the memory of David Loeb.

Red Hawk was designed around the theme that there is value to and a distinction in a Nevada quality of life: Open space, vistas, wildlife and community. While those not from Nevada may not appreciate the beauty of a sage brushed hill and unrestricted mountain views, those of us who choose to live in Wingfield do. The Windmill entrance was set aside in its natural state to welcome residents and visitors to the beauty of our area. Placing patio homes under the windmill would be inconsistent with maintaining the natural features of the development, (not to mention a horrible eye sore).

Second, Homeowners were assured that their quality of life would be preserved and encouraged by a Master Plan that they had to abide by and that they were guaranteed the Developer would maintain and enforce. I paraphrase from the original promotional materials:

"Our experts have designed a truly unique community with a distinctly Nevadan quality of life that will be preserved and encouraged to appreciate through our quality control program. There will be orchestrated vistas and enforced building envelopes to protect views and maintain open space. We will create a life and lifestyle other developers have long forgotten."

The new Developer now seeks to avoid their commitment to our community and ignore their obligation to maintain and preserve our quality of life. The proposed use of the adjacent property will negatively impact every Wingfield residents' enjoyment of this community.

Third, if the amendment is approved many homeowners will suffer a current and permanent decrease in the value of their property. All of the custom homes bordering on proposed Village 5A will have their views of the mountains obstructed, the quiet enjoyment of their backyards ruined and be imposed with a density of

development that they specifically tried to avoid by paying substantial money for a private lot and creating their own dream home. This imposition is untenable and results in direct negative economic impact on them and all similarly situated homeowners.

Finally, the proposed amendment does not satisfy the requirements of NRS 278A. The modifications do not further the mutual interests of the resident but only the owners. The changes do not adhere to the overall integrity of the master plan and development. The residents unreasonably suffer from the changes and their expectations and reliance on the plans are adversely impaired. Further since the plan should be construed in a light most favorable to the residents and not the developer the amendment should not be approved.

JULIE

1/15

## Thompson, Tim

---

**From:** Larry Heuer [lheuer@HeuerInsurance.com]  
**Sent:** Friday, May 11, 2012 10:27 AM  
**To:** Thompson, Tim  
**Subject:** FW: RE Case Number PCN12010

**Importance:** High

---

**From:** Larry Heuer  
**Sent:** Friday, May 11, 2012 10:31 AM  
**To:** 'thompson@cityofsparks.us'  
**Cc:** Starla Heuer; Adam Heuer  
**Subject:** RE Case Number PCN12010  
**Importance:** High

Good Morning Mr Thompson. I am in receipt of the official notice of public hearing. Unfortunately my wife and I will be unable to attend the meeting this Monday re the above requested change to the master plan.

Since I can't be there, please find a way to include my comments to the planning commission.

When Wingfield Springs was developed, it came with the usual and customary Master Plan! That plan called for plenty of open room, spacious parks, and the great American dream! Many of us have spent, and paid taxes, to have expensive custom made homes built in Wingfield Springs. For the Seenos to come into our town, and want to THROW OUT THE MASTER PLAN, reeks of Californiaism! They don't care about our area or quality of life, nor do they care about our declining property values...all they care about is their pocket books! They are willing to decrease our quality of life, as well as our property values, all for the good of this California developer.

Don't get me wrong. I love golfing at Redhawk, and I live on one of the fairways, so I have been a supporter of the Seenos as they took control over the Golf Course. But to ask us to give up what we have fought for, ie the existing master plan, and devastate the area by a bunch of patio homes, is criminal. For them to take down the entrance of WFS, specifically the Wind Mill, and build patio homes there, shows they don't care about us at all....all they care about is what money they can take out of Northern Nevada!

Its time to say NO to California developers coming in and continuing to ruin the quality of life that Northern Nevada has always enjoyed.



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IT'S TIME HEUER INSURANCE TOOK CARE OF **ALL** YOUR INSURANCE NEEDS!





## Thompson, Tim

---

**From:** Edie Behler.aat [ediebehler.aat@sbcglobal.net]  
**Sent:** Wednesday, May 09, 2012 4:00 PM  
**To:** Thompson, Tim  
**Subject:** Case: PCN12010 - Hearing on May 17th

**Importance:** High

Mr. Thompson,

I've received the public notice for the hearing on May 17<sup>th</sup> today, for case PCN 12010.

In order to decipher all these amendments properly, I'd appreciate it, if I could get sufficient information as to the exact locations requested for change, village 5A, 20A, 27, 28.

Also what are the abbreviations used, ie "du/ac"?

Is there a map available on your website for these informations?

I'd appreciate your soonest reply.

With best regards,

**Edith Behler**

3075 Wingfield Hills Road

Sparks, NV 89436

Tel: (310) 215-0148

Fax: (310) 215-9810

Email: [Ediebehler.aat@sbcglobal.net](mailto:Ediebehler.aat@sbcglobal.net)

**Thompson, Tim**

---

**From:** GREG GRUPPO [dubl0seven@msn.com]  
**Sent:** Tuesday, May 08, 2012 3:54 PM  
**To:** Thompson, Tim  
**Subject:** Redhawk PCN12010  
**Attachments:** SCAN4238\_000.pdf

Dear Tim,

I left you a voice message regarding the above-referenced proposal. Attached is my written comment on the project. If you are not the individual this should be addressed to, please let me know.

Sincerely,

Theresa Gruppo

*Greg & Theresa Grupp*  
*2120 Madrid Drive*  
*Sparks, NV 89436*  
*(775)626-8439*

May 8, 2012

Sparks Planning Commission

Case: PCN12010 –Red Hawk Land Company

Date: Thursday, May 17, 2012

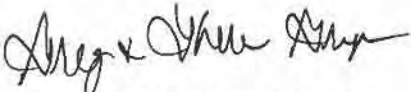
Dear Sir/Madam,

I am writing as a local resident to object to the above application. I am greatly concerned that the proposal, if it goes ahead, will have significant detrimental effects on the environment and the local community. As a local resident this is a matter of concern which affects me and other local residents.

Based on the project site map furnished with your notice dated May 4, 2012, the design is in contradiction of the key planning objectives to the Wingfield Springs Planned Development Handbook. We value the open space and believe natural parks are an important part of what makes a city appealing.

Thank you for your consideration.

Sincerely,



Greg and Theresa Grupp

## Thompson, Tim

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**From:** Jon Mayes [writetojsm@gmail.com]  
**Sent:** Tuesday, May 08, 2012 12:47 PM  
**To:** Thompson, Tim  
**Subject:** Re: Public Hearing PCN12010

Thanks Tim; I appreciate your getting back to me. We are going to try to go to the meeting; however, we have a scheduling conflict - we'll try. As far as my/our comments, I pretty much covered them in paragraph three of the first email I sent to you:

With the housing market in the condition it is in, with so many empty & foreclosed homes on the market, and more to come when the next wave of Delinquent homes kick in, and not to mention that soon the baby boomers will be dying off leaving even more inventory on the already depressed market, then what are builders thinking when they want to build more?

And I'd add to the developers to take a look at what happened at South Meadows. Damonte Ranch was over-built. Furthermore, if one drives around the commercial area down there, there are countless buildings with "Available" signs posted in their windows.

It just seems like such over-kill to build more when there is already too much.

Thanks again, Tim. Take care... Jon & Pam (Quisito) Mayes, 7468 Lorna Lane, Sparks 354-1235

On Mon, May 7, 2012 at 12:51 PM, Thompson, Tim <tthompson@cityofsparks.us> wrote:

Jon,

You can send any written comments to my attention at 431 Prater Way Sparks, NV 89431. Or you can email your comments to me and I'll make sure they are included in the staff report. If you'd like, I can also phone you and talk to you more in depth about what is being proposed. Red Hawk was also required to hold a neighborhood meeting which will occur next Monday evening. You should be receiving a notice, I would encourage you to attend. Please let me know if you'd like to discuss further.

Tim

Tim Thompson, AICP

Senior Planner

City of Sparks, Nevada

**775.353.2338**

Fax: **775.353.1635**



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**From:** Jon Mayes [mailto:[writetojsm@gmail.com](mailto:writetojsm@gmail.com)]

**Sent:** Monday, May 07, 2012 10:09 AM

**To:** Thompson, Tim

**Subject:** Public Hearing PCN12010

Hello Tim -

In regards to written comments about the proposed Master Plan Amendment, etc., on the notice recently sent out, would you please tell me what address I could send a letter in opposition to any more building in the Wingfield Springs area? Thank you...

This letter will be coming from Pamela L. Quisito, 7468 Lorna Lane, Sparks NV 89436 (354-1235). Please let me explain and introduce myself: I am Jon Mayes. Pam and I were married last March 12th. We haven't had time yet to change the Deed on this house, Record with her name change and include my name on the house. We will be doing that soon.

For now, we would like to submit a written letter (from Pam) in opposition to any more building in this area. With the housing market in the condition it is in, with so many empty & foreclosed homes on the market, and more to come when the next wave of Delinquent homes kick in, and not to mention that soon the baby boomers will be dying off leaving even more inventory on the already depressed market, then what are builders thinking when they want to build more?

This is pretty much what we want to convey in a hardcopy letter. Perhaps this email is sufficient; please let us know.

Thank you for your time, Tim. Take care...

Jon Mayes, 7468 Lorna Lane, Sparks... 354-1235

## Thompson, Tim

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**From:** Nancy Soulé [nancyksoule@yahoo.com]  
**Sent:** Tuesday, May 08, 2012 12:37 PM  
**To:** Thompson, Tim  
**Subject:** PCN12010 Clarification Please

Hello, Mr. Thompson,

My husband and I own a property on Ambush Ct in Wingfield Springs and received notice of the possible redesignation of several acres from open space to something else. Unfortunately, there is no clear explanation of what you are changing it to as, I do not know what 4 du/ac means. Can you please clarify?

Thank you,  
Nancy Soulé

## Thompson, Tim

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**From:** Pat Moreno [patricia@jps.net]  
**Sent:** Monday, May 07, 2012 5:33 PM  
**To:** Thompson, Tim  
**Cc:** Carrigan, Michael  
**Subject:** Case PCN 12010

Mr. Thompson,

We are the owners of the property at 2888 Astronomer Way. We received notice of the proposed Master Plan Amendment to change the land use designation from open space to dwelling units. We have owned the property since 2003. The understanding at the time of purchase was the open space would remain such as it was under the control of the Bureau of Land Management (BLM). We oppose any change in the designation that would provide for adding any structures to the area currently designated as open space. The impact would not be conducive to preserving the stability and structural integrity of the hills upon which our property and the neighbors reside. Our home has undergone geological shifting since 2003. Within the 1st year of occupancy we experienced major shifting and property damage. Several homes in this area experienced the same requiring the builder, Bright Homes, to conduct engineering and geo assessments and to make major repairs to these homes. Changing the land use from open space will cause additional harm to all of the structures in this area. It would appear negligent for the Sparks Planning Commission and the City Council to allow this amendment to move forward without assurance that the existing homeowners will not be held liable for property damage caused by the construction of future land improvements. In addition the home values will continue to decline and the City and County governments will experience a severe reduction in property tax revenue, a continuation of the decline of the City's financial status. This is the worst possible time to consider new construction when the housing inventory is at an all time high.

This amendment does not fit the neighborhood, the environment, nor the City of Sparks's best interest.

Please make my comments a part of the hearing process.

Respectfully submitted,  
Patricia J Moreno  
Moreno Family Trust

Pat Moreno  
[patricia@jps.net](mailto:patricia@jps.net)  
707.301.9023

## Thompson, Tim

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**From:** Jon Mayes [writetojsm@gmail.com]  
**Sent:** Monday, May 07, 2012 10:09 AM  
**To:** Thompson, Tim  
**Subject:** Public Hearing PCN12010

Hello Tim -

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This letter will be coming from Pamela L. Quisito, 7468 Lorna Lane, Sparks NV 89436 (354-1235). Please let me explain and introduce myself: I am Jon Mayes. Pam and I were married last March 12th. We haven't had time yet to change the Deed on this house, Record with her name change and include my name on the house. We will be doing that soon.

For now, we would like to submit a written letter (from Pam) in opposition to any more building in this area. With the housing market in the condition it is in, with so many empty & foreclosed homes on the market, and more to come when the next wave of Delinquent homes kick in, and not to mention that soon the baby boomers will be dying off leaving even more inventory on the already depressed market, then what are builders thinking when they want to build more?

This is pretty much what we want to convey in a hardcopy letter. Perhaps this email is sufficient; please let us know.

Thank you for your time, Tim. Take care...

Jon Mayes, 7468 Lorna Lane, Sparks... 354-1235



## Thompson, Tim

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**From:** Phillip Carnahan [pc.carnahan@charter.net]  
**Sent:** Saturday, May 05, 2012 4:15 PM  
**To:** Thompson, Tim  
**Subject:** case pcn12010

Tim,

We would like to know specifically which parcels are referred to in your letter within the large area on the map in your letter. Especially the parcels presently designate Open Space (OS) as well as the others.

**Phil**

*Gerry & Edie Hubatka*

2851 Old Pinto Court  
Sparks, NV 89436  
775.626.5732

May 7, 2012

*Sparks Planning Commission:  
Case: PCN12010*

*I am replying to you regarding the potential Plan Amendment. I would like to have this amendment not approved. We purchased our lot and had our home built with the current Master Plan and because of it. We have enough homes in the area that are for sale and/or in foreclosure. The potential addition of new homes would help only the developer. The open space is one of the things about living in this community that is appealing.*

*Sincerely,*

  
Gerry Hubatka

PUBLIC WORKS  
DEPARTMENT

MAY - 8 2012

RECEIVED