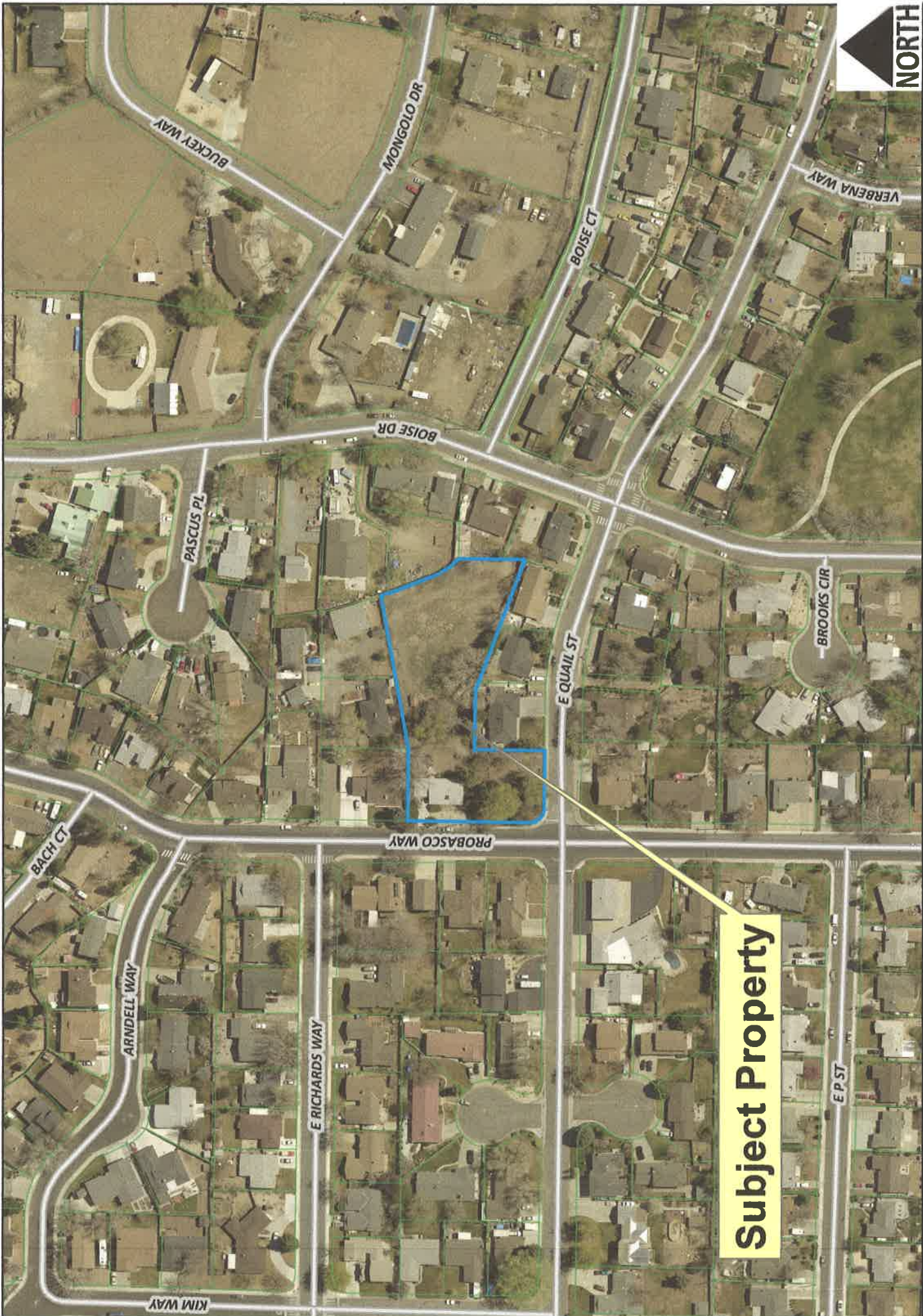


Vicinity Map
PCN16024



Subject Property

BUCKEY WAY

MONGOLO DR

BOISE CT

VERBENA WAY

BOISE DR

PASCUS PL

BROOKS CIR

E QUAIL ST

BACH CT

PROBASCO WAY

ARINDELL WAY

E RICHARDS WAY

EP ST

KIM WAY



**CITY OF SPARKS, NV
COMMUNITY
SERVICES
DEPARTMENT**

To: Mayor and City Council
From: Marilie Smith, Administrative Secretary
Subject: Report of Planning Commission Action
PCN16024
Date: August 9, 2016

RE: PCN16024 – Consideration of and possible action on a request to rezone a site approximately 48,787 square feet (1.12 acres) in size from SF40 (Residential Single Family – 40,000 square foot minimum lot size) to SF6 (Residential Single Family – 6,000 square foot minimum lot size) located at 1980 Probasco Way, Sparks, NV.

Development Services Manager Karen Melby presented this agenda item at the July 7, 2016 Planning Commission Meeting with a recommendation to forward the item to City Council for approval of a request to rezone approximately 1.12 acres from SF40 to SF6. Ms. Melby displayed a site plan showing the proposed area and surrounding uses. The site is located at 1980 Probasco Way. The site currently has a single family home and has been utilized as such since the home was constructed in 1959. It is the applicant's intent, if the rezoning request is approved, to create one more single family lot by splitting the lot into two parcels.

Ms. Melby shared that the proposed zoning would be more in conformance with the surrounding properties and the Master Plan. The adjacent properties are zoned either SF6 or SF9 and have a Master Plan Land Use designation of Low Density Residential (LDR).

Public notice was given per the requirements of the Sparks Municipal Code and the Nevada Revised Statutes and there were no comments received with regard to this request. Staff is recommending approval to forward this request to City Council.

The applicant was afforded an opportunity to speak with regard to the proposed project and declined unless there were additional questions. No additional questions were presented.

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

MOTION: Planning Commissioner Fewins moved to forward a recommendation of approval to the City Council of the request associated with PCN16024 to rezone approximately 48,787 square feet (1.12 acres) from SF40 (Residential Single Family

40,000 square foot minimum lot size) to SF6 (Residential Single Family – 6,000 square foot minimum lot size) based on the Findings Z1 through Z3, and the facts supporting these Findings as set forth in the staff report.

SECOND: Planning Commissioner Lean.

AYES: Planning Commissioners Cammarota, Petersen, Fewins, Lean, Sperber and VanderWell.

NAYS: None.

ABSTAINERS: None.

ABSENT: Commissioner Voelz.

Passed.

When Recorded Return to:
Sparks City Clerk
PO Box 857
Sparks, NV 89432

BILL NO. _____

INTRODUCED BY CITY COUNCIL

ORDINANCE NO. _____

PCN16024 - SMITH INTERVIVOS TRUST

A GENERAL ORDINANCE REZONING REAL PROPERTY OWNED BY SMITH INTERVIVOS TRUST, FROM SF40 (RESIDENTIAL SINGLE FAMILY - 40,000 SQUARE FOOT MINIMUM LOT SIZE) TO SF6 (RESIDENTIAL SINGLE FAMILY - 6,000 SQUARE FOOT MINIMUM LOT SIZE) LOCATED AT 1980 PROBASCO WAY, SPARKS, NV. ; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

THE CITY COUNCIL OF THE CITY OF SPARKS DOES ORDAIN:

SECTION 1: The property described in Exhibit "A" and depicted in Exhibit "B", which is attached hereto and incorporated herein by reference, situated in the City of Sparks, County of Washoe, State of Nevada, is hereby changed from C1(Neighborhood Commercial) to C2 (General Commercial) classification.

SECTION 2: The zoning map of the City of Sparks is hereby amended in accordance with the rezoning herein.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: The City Clerk is instructed and authorized to publish the title to this ordinance as provided by law and to record the plan certified herein as provided by law.

SECTION 5: This ordinance shall become effective upon passage, approval, publication.

SECTION 6: The provisions of this ordinance shall be liberally construed to effectively carry out its purposes in the interest of the public health, safety, welfare and convenience.

SECTION 7: If any subsection, phrase, sentence or portion of this section is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

SECTION 8: The City Council finds that this ordinance is not likely to impose a direct and significant economic burden upon a business or directly restrict the formation, operation or expansion of a business, or is otherwise exempt from Nevada Revised Statutes Chapter 237.

PASSED AND ADOPTED this _____ day of _____, 2016, by the following vote of the City Council:

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED this _____ day of _____, 2016 by:

Geno Martini, Mayor

ATTEST:

APPROVED AS TO FORM & LEGALITY:

Teresa Gardner
City Clerk

Chester H. Adams
City Attorney

EXHIBIT A

**LEGAL DESCRIPTION FOR
REZONING OF THAT CERTAIN REAL PROPERTY AS
DESCRIBED IN DEED DOCUMENT NO. 4172601
(A.P.N. 028-342-30)**

All that certain real property situate within a portion of the Southeast One-Quarter (SE 1/4) of Section Thirty-three (33), Township Twenty (20) North, Range Twenty (20) East, Mount Diablo Base Meridian, City of Sparks, County of Washoe, State of Nevada, being that certain real property as described in Deed Document No. 4172601, recorded November 9, 2012, Official Records of Washoe County, Nevada, and being more particularly described as follows:

BEGINNING at the southern most corner of said real property, said beginning bears North $79^{\circ}38'07''$ East, 130.48 feet from the centerline intersection of East Quail Street and Probasco Way as described in Deed Document No. 340385, Book 844, Page 403, recorded September 11, 1974, Official Records of Washoe County, Nevada;

THENCE coincident with the northerly right of way of said East Quail Street, North $89^{\circ}19'01''$ West, 77.95 feet to the beginning of a curve to the right, concave northeasterly, and having a 20.00 foot radius;

THENCE 31.46 feet along the arc of said curve, through a central angle of $90^{\circ}07'52''$ to a point on the easterly right of way of said Probasco Way;

THENCE coincident with said easterly right of way, North $00^{\circ}48'51''$ East, 164.95 feet;

THENCE departing said easterly right of way, South $89^{\circ}19'01''$ East, 97.99 feet;

THENCE North $79^{\circ}52'17''$ East, 210.70 feet;

THENCE South $17^{\circ}19'00''$ East, 14.50 feet;

THENCE South $21^{\circ}04'29''$ East, 69.87 feet;

THENCE South $32^{\circ}46'34''$ East, 20.64 feet;

THENCE South $45^{\circ}35'19''$ East, 13.87 feet;

THENCE South $00^{\circ}45'17''$ West, 89.48 feet;

THENCE North $69^{\circ}20'02''$ West, 191.52 feet;

THENCE North $89^{\circ}19'01''$ West, 78.84 feet;

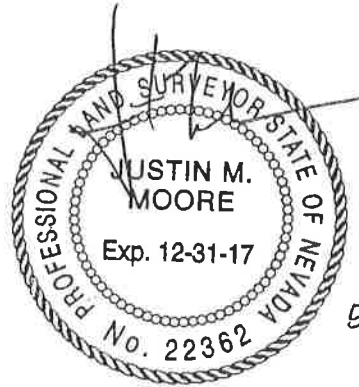
THENCE South $00^{\circ}48'51''$ West, 95.00 feet to the **POINT OF BEGINNING** and end of this description.

Containing 50,135 square feet of land, more or less.

BASIS OF BEARINGS for this description is based on the Nevada State Plane Coordinate System of 1983, West Zone, NAD 83/94.

Prepared By:

ODYSSEY ENGINEERING, INC.
Justin M. Moore, P.L.S.
Nevada Certificate No. 22362
895 Roberta Lane, Suite 104,
Sparks, NV 89431



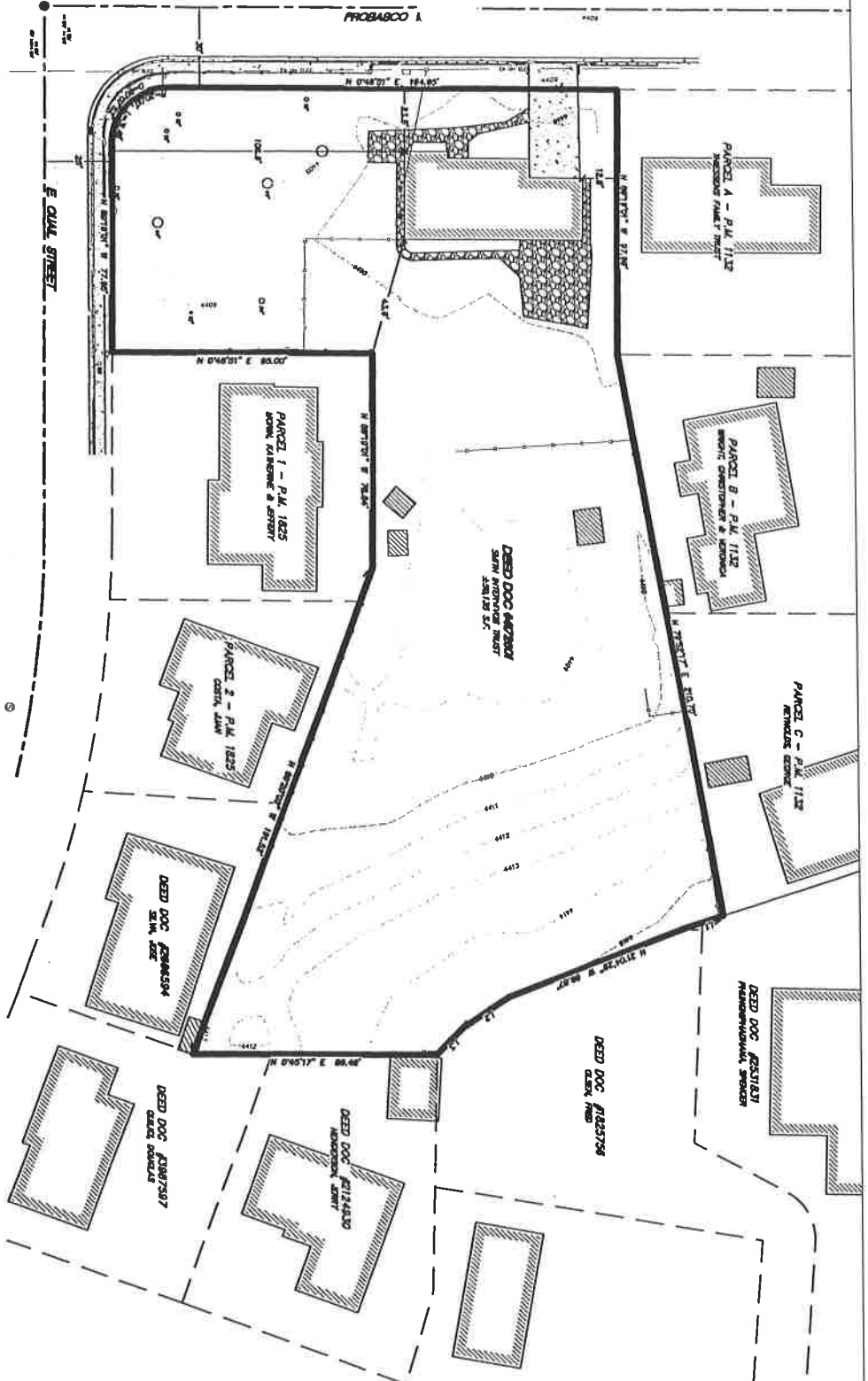
5/12/16

EXHIBIT B

PROBASCO A

- LEGEND**
- STRUCTURE
 - PAVING AREA
 - CONCRETE
 - EXISTING OVERHEAD ELECTRIC LINE
 - FIELD CENTERLINE POINTMENT IN WELL STIPPLED "X" 4/27/77
 - FIELD PROPERTY CORNER
 - DISPOSITION POINT - INTERIOR FIELD CORNER SET
 - P.L. PARCEL MAP

- 12 WATER VALVE
- 14 WATER METER
- 15 SANITARY SEWER MANHOLE
- 16 SANITARY SEWER CLEANOUT
- 17 STORM SEWER MANHOLE
- 18 STORM SEWER CLEANOUT
- 19 SON
- 20 UTILITY POLE
- 21 GUY WIRE
- 22 ELECTRIC CABINET
- 23 ELECTRIC METER
- 24 GAS METER
- 25 GAS VALVE
- 26 TREE



LINE TABLE	DATE	BY
1	5/10/16	...
2
3
4

DATE OF RECORDING
THE PLAN OF RECORDING FOR THE SITE IS BASED ON THE RECORDING OF THE CITY OF SPANISH BROWNSVILLE, TEXAS, RECORDING NO. 78, DATED 11/11/77. THE CITY OF SPANISH BROWNSVILLE, TEXAS, HAS A PLANETARY CORNER SET TO GRADE SCALE FACTOR OF 1.000000000.

DATE OF RECORDING
THE PLAN OF RECORDING FOR THE SITE IS BASED ON THE RECORDING OF THE CITY OF SPANISH BROWNSVILLE, TEXAS, RECORDING NO. 78, DATED 11/11/77. THE CITY OF SPANISH BROWNSVILLE, TEXAS, HAS A PLANETARY CORNER SET TO GRADE SCALE FACTOR OF 1.000000000.

NOTES

- 1) FIELD WORK WAS COMPLETED ON APRIL 27, 2016.
- 2) EVIDENCE MAY EXIST THAT ARE NOT SHOWN HEREON.
- 3) CURRENT ZONING IS R-40.
- 4) WATER SOURCE IS MUNICIPAL.
- 5) SEWER HOOKUP IS MUNICIPAL.

SETBACK REQUIREMENTS
ALL SETBACKS SHALL BE 5 FEET UNLESS OTHERWISE SHOWN ON THIS PLAN. THE CITY OF SPANISH BROWNSVILLE, TEXAS, HAS A PLANETARY CORNER SET TO GRADE SCALE FACTOR OF 1.000000000.

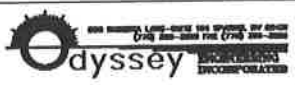
PROPERTY OWNER
MAY 2016



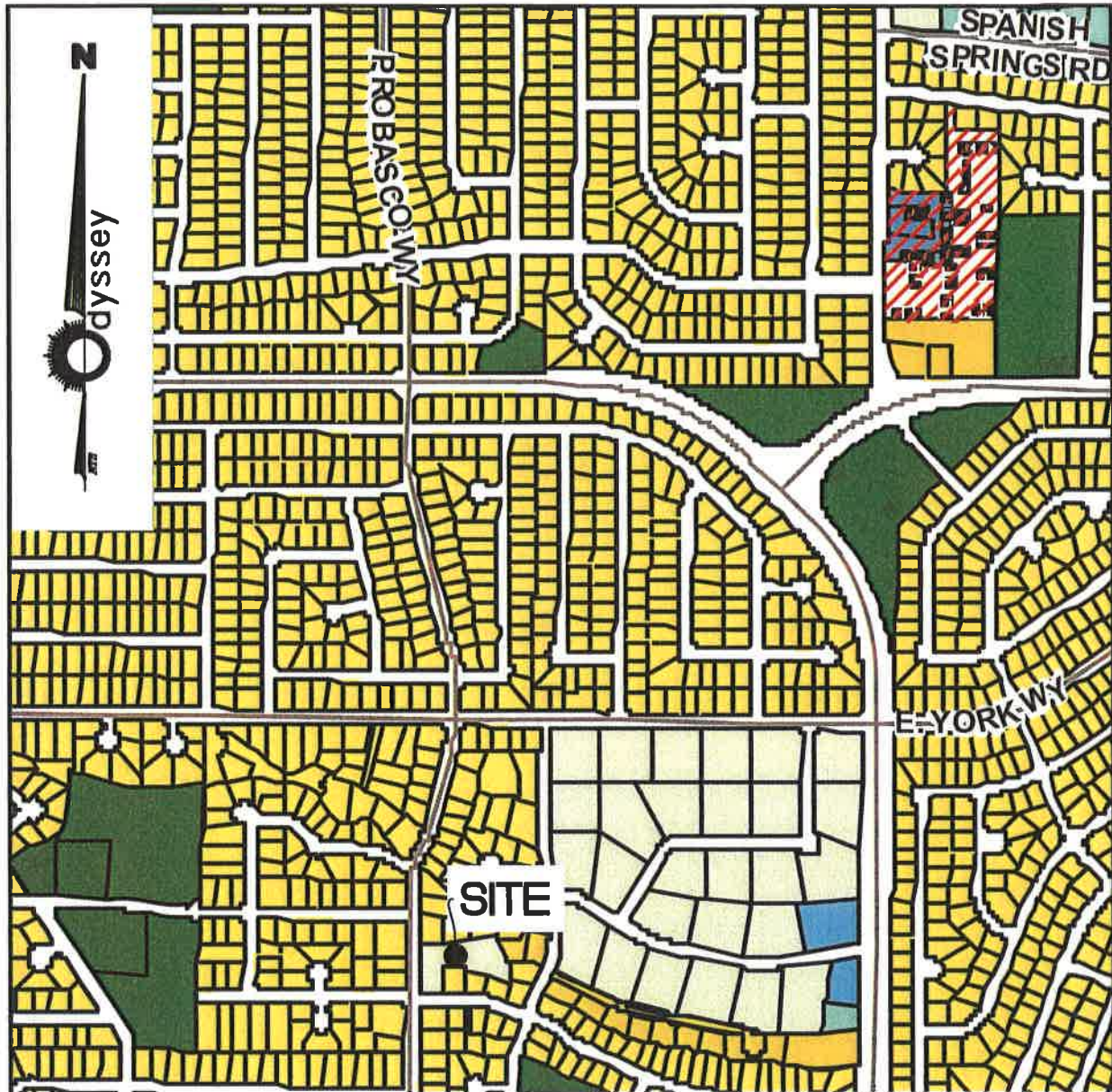
5/10/16

DATE	BY	DATE	REVISION	BY	APP'D
MAY 2016	E.M.M.				

A.P.N. 028-342-30
1980 PROBASCO WAY
EXISTING SITE PLAN
SPANISH BROWNSVILLE, TEXAS



1



ZONING DESIGNATION:

- SF-6
- SF-40

EXISTING ZONING (SF-40)

SCALE: N.T.S.



EXHIBIT MAP

WWW.ODYSSEY-CIVIL-ENGINEERING.COM

Odyssey

ENGINEERING
INCORPORATED

1980 PROBASCO WAY

LOCATED WITHIN THE SOUTHEAST 1/4
OF SECTION 33, T.20N., R.20E., M.D.M.

SPARKS WASHOE COUNTY NEVADA



ZONING DESIGNATION:

- SF-6
- SF-40

PROPOSED ZONING (SF-6)

SCALE: N.T.S.

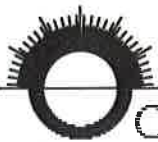


EXHIBIT MAP

WWW.ODYSSEY-CIVIL-ENGINEERING.COM

odyssey ENGINEERING INCORPORATED

1980 PROBASCO WAY

*LOCATED WITHIN THE SOUTHEAST 1/4
OF SECTION 33, T.20N., R.20E., M.D.M.*

SPARKS WASHOE COUNTY NEVADA