

**City Of Sparks
Planning Commission Item**

Meeting Date: March 21, 2013

Subject: Special Use Permit (PCN12022)

Consideration of and possible action on a Special Use Permit request to allow for a 201 room resort hotel/casino on a site approximately 12.6 acres in size in the NUD (New Urban District – The Legends Planned Development) zoning district generally located at 100 Legends Bay Drive, Sparks, NV.

Petitioner: Olympia Gaming, LLC

Recommendation: The Community Development Department recommends approval of PCN12022; 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

Special Use Permit:

I move to approve the Special Use Permit associated with PCN12022, to allow for a 201 room resort hotel/casino, adopting Findings S1 through S6 and the facts supporting these Findings as set forth in this staff report, subject to the Conditions of Approval 1 through 31 as listed in this staff report.

Respectfully Submitted,



Armando Ornelas
City Planner

Prepared By:



Tim Thompson, AICP
Senior Planner

CASE NUMBER(S):	<ul style="list-style-type: none"> • PCN12022
REQUESTED ACTION(S):	<ul style="list-style-type: none"> • Special Use Permit
PROJECT DESCRIPTION:	<ul style="list-style-type: none"> • To allow a non-restricted gaming operation and hotel.
PROPERTY OWNER:	<ul style="list-style-type: none"> • Olympia Gaming, LLC • Sparks Legends Development
DEVELOPER:	<ul style="list-style-type: none"> • Olympia Gaming, LLC
APPLICANT:	<ul style="list-style-type: none"> • Olympia Gaming, LLC
LOCATION:	<ul style="list-style-type: none"> • Generally located north of Interstate 80, west of Sparks Boulevard and east of the Sparks Marina Park
SITE SIZE:	<ul style="list-style-type: none"> • ±13 acres
EXISTING ZONING:	<ul style="list-style-type: none"> • NUD (New Urban District – Legends at Sparks Marina Planned Development)
EXISTING LAND USE:	<ul style="list-style-type: none"> • Vacant
EXISTING LAND USE PLAN	<ul style="list-style-type: none"> • Mixed Use Commercial (TOD/MU-C)
WARD INFORMATION	<ul style="list-style-type: none"> • Ward 3 – Ron Smith
APPLICABLE REGULATIONS:	<ul style="list-style-type: none"> • S.M.C. 20.13 (Special Use Permits) • Legends at Sparks Marina Planned Development Handbook • Sparks Design Standards Manual • Redevelopment Area 2 Plan • Transit Oriented Development Corridor Area Plan

***A Public Hearing is Required**

BACKGROUND:

In December 1997, the Marina Area Plan was adopted as part of the City's Master Plan. The plan addressed the land around an 80 acre quarry site, the former "Helms Pit", which is now the Sparks Marina Park. The Plan Area is located within the City of Sparks and adjacent to Interstate 80 between McCarran Boulevard and Sparks Boulevard. The Marina Park has become an asset to the City of Sparks and attracts recreation enthusiasts from throughout the city and around the region. The lands around and adjacent to the Marina Park are providing a unique setting attractive to recreation, residential, and tourist commercial uses. The project site, with the exception of the eastern portion, has long been vacant. In 1980, the project site was rezoned to TC (Tourist Commercial). The Marina Area Plan was intended to provide a framework for development. With the adoption of the Transit Oriented Development (TOD) Corridor Area Plan in July of 2009, the Marina Area Plan was removed from the Sparks Master Plan document.

In June of 1999, the City Council adopted the Redevelopment Area 2 plan. The Marina Area was included as one of three separate districts within the plan. With the Marina Area Plan already in place, there was an opportunity for development of the Marina Area with tourist commercial uses which could strengthen the economic base of the community and stimulate new commercial expansion, employment, and economic growth. Therefore, the Marina Area was included in the Redevelopment Area 2 plan. Both the Redevelopment Area 2 plan and the Marina Area plan shared several common goals as discussed below.

The TOD Corridor Area Plan addresses the land adjacent to existing and proposed transit routes. The City of Sparks, in support of the 2002 Truckee Meadows Regional Plan, created this Area Plan to encourage development of mixed high density residential and commercial uses within walking distance of transit services. Specifically, the area around the Sparks Marina Park is planned for a combination of commercial, residential, and recreational land uses. Adjacent to the Marina, and within the TOD Corridor Area Plan, are existing apartments, shopping centers, mobile home park, amusement park, and light industrial uses.

On December 11, 2006, the Sparks City Council approved the Legends at Sparks Marina Planned Development Handbook. The Final Approval of the Planned Development Handbook allows for a destination commercial, retail, and entertainment development of more than 1.3 million square feet, possibly including an events center. The Final Approval of this particular handbook (PCN06028 – The Legends at Sparks Marina Planned Development Handbook) consolidated all previous entitlements into one common handbook which will govern the entire approximately 148 acre development.

In May 2007, the Sparks Planning Commission approved a Special Use Permit for a hotel casino resort. That Special Use Permit expired in 2009.

On September 30, 2010, the Planning Commission considered a Special Use Permit to allow a non-restricted gaming operation and a hotel with more than 150 rooms (800-room resort/hotel/casino), which was subsequently approved.

SURROUNDING LAND USES & ZONING

- North: Vacant, NUD (Legends at Sparks Marina)
- East: Vacant, NUD (Legends at Sparks Marina)
- South: Vacant, NUD (Legends at Sparks Marina)
- West: Single Family Residential, PD (Marina Village) & Sparks Marina Park

ANALYSIS:

The proposed project would allow for a hotel casino on approximately 13 acres located along the northeast shore of the Sparks Marina Park. The proposal is a part of a larger destination retail and entertainment center which calls for approximately 1.3 million square feet of retail, entertainment, and restaurant space. The project is intended to draw tourists and visitors from outside the Truckee Meadows. The project site is included in both the Redevelopment Area 2 Area Plan and the Transit Oriented Development (TOD) Corridor Area Plan. Design standards are regulated by the Legends at Sparks Marina Handbook and were derived from the Sparks Municipal Code, the Design Standards Manual (DSM), and the retired Marina Area Plan.

This special use permit is to allow for a nonrestricted gaming operation and associated hotels. The construction of all buildings is subject to conformance with the standards contained in the Legends at Sparks Marina Planned Development Handbook and the City of Sparks' Design Standards Manual. An amendment of this special use permit will be required to deviate from the conditions of the approval or if there are any substantial changes to the proposal.

Development is likely to occur in multiple phases as permitted in the Legends at Sparks Marina Planned Development Handbook. It is anticipated that the initial phase will include approximately 60,000 square feet of casino, restaurant, and "back of house" areas along with two hotels consisting of a total of 201 rooms. This Special Use Permit approval also includes a proposed future expansion of approximately 20,000 square feet to the

gaming floor and approximately 14,000 square feet of additional food and beverage uses including "back of house" area. Any future expansions which do not exceed the previously stated floor areas will require a Site Plan Review approval. Expansions which exceed the area shown with this application shall require an amendment to this Special Use Permit. The overall timing of any future phase is dependent upon market conditions.

The project site is located on the eastern shore of the Sparks Marina Park and north of Interstate 80. The Marina Area Plan had identified this area as a "high profile site." The plan stated that "landmark" structures would be permitted in the high profile locations identified in the plan. While the Marina Area Plan was removed from the Master Plan, and the area is now included within the TOD Corridor Area Plan, the fact remains that the project site lies in a highly prominent location visible from both the Interstate and Marina. The importance of this location was considered with the approval of the Legends at Sparks Marina Planned Development. The Legends development was intended to be a true destination for tourists and locals alike. It's appropriate that a destination retail center, which is intended to cater to tourists, include hotel accommodations. The development also furthers the goals and policies of the TOD Corridor Area Plan by encouraging higher intensity uses, clustering of services and maximum utilization of land resources.

Staff identified several concerns related to the proposed project including: loading/delivery screening and noise; buffering of adjacent uses; architecture; landscaping; access; and the waterfront/boardwalk interface.

One concern is the location of the loading dock/delivery area. The loading dock must comply with the screening requirements included in the Legends at Sparks Marina Planned Development Handbook. The Legends at Sparks Marina Handbook requires a minimum 15-foot landscape buffer adjacent to the residential uses to the west of the project site. The planned development handbook prohibits deliveries between the hours of 10:00 PM to 7:00 AM. No truck idling shall be permitted on site outside of these hours.

The handbook limits noise generating maintenance such as parking lot sweeping or snow removal to between the hours of 7:00 am and 10:00 pm, seven days a week. Given the proximity of the hotel casino resort project to the adjacent residential, the proposed conditions include that this portion of the overall Legends project maintain these hours for noise generating maintenance. The use of temporary storage containers located anywhere on the site are also prohibited.

The developer is required to limit all construction and construction-related activities per the criteria listed in the planned development handbook.

The handbook includes buffering standards which require masonry walls and landscaping. The handbook also requires a minimum setback of 75 feet between the nearest residential structure and any building within the Legends development.

The development of the subject site shall comply with the architectural requirements established within the Legends at Sparks Marina Planned Development Handbook, City of Sparks Design Standards Manual and Marina Area Plan. Building elevations must be approved by the Planning Commission as a general business item prior to the submittal of a site plan review for the construction of any building. The developer shall articulate long facades by varying building mass, form, texture, and interplay of solid and open areas. The design of the hotel casino resort shall be of the same quality and character as the other buildings within the development.

The developer is required to work in conjunction with the utility companies to locate utility equipment such as electrical, gas and water junction boxes, including transformer boxes, vaults and electrical panels, in areas where the equipment is screened by either architectural elements that match the main structure's colors and materials or by adjusting the approved landscaping to compensate.

The site will be landscaped in accordance with the standards in the Legends at Sparks Marina Planned Development Handbook.

The waterfront/boardwalk area is intended to be a focal point, a confluence of people, those utilizing the marina for recreational purposes and as an entryway into the Legends project. Pedestrian access and connectivity is paramount within this area of the project. In designing the proposed project, careful consideration must be given to ensure that uses and events associated with this development do not conflict with the use and enjoyment of the public path.

There will be a variety of trail and waterfront improvements included in Phase 1. The existing wall and landscaping along the western boundary needs to be extended just past the home located at the south end of Harbour Cove Court and turn slightly at the end in order to help screen the adjacent residence from the Legends development. Conceptually, the developer proposes to install a fountain in the existing bay at this location. The proposed fountain will be controlled by time clock so that it is only active at appropriate times. The pedestrian trail will be maintained around the

marina lake and consist of decorative concrete and/or other materials to allow for ease of use for bicycles, roller-skates, skateboards, and wheelchairs. Details of the path improvements will be coordinated with RED Development to ensure a seamless connection to the rest of the trail located on Legends property. The pedestrian trail will tie in to the main pedestrian shopping mall and include pedestrian safety enhancements. An amphitheater is proposed which will consist of terraced grass at a 4:1 slope. Along with the amphitheater, a private beach for hotel patrons is being considered. Any private beaches may be gated and secured with surveillance. At a later date, the developer is planning the installation of a water show near the amphitheater. The embankment from the trail to the water's edge will be heavily landscaped with trees, low growing shrubs, perennial flowers, and large boulders in conformance with the landscaping standards within the Legends handbook. The lighting along the trail will be the same as the existing marina light fixtures.

The proposed amphitheatre is located more than 400 feet from the nearest residence. A sound study is being required to ensure that the impacts to the residential areas are within the parameters of the Sparks Municipal Code. Page 66 of the approved planned development handbook includes provisions for lighting and sound systems for other uses, excluding baseball or other sporting events. This section of the handbook requires the hours of these systems to be addressed through the special use permit. The applicant for the hotel casino is proposing to cease the water and light show at the amphitheatre at 10:00 PM Sunday through Thursday and 12:00 AM on Friday and Saturday nights. Any events proposed outside of these hours are subject to a special events permit. Furthermore, there is an intervening water feature proposed between the amphitheatre where the water/light show would be staged and the nearest residence. This feature will further serve to buffer sound impacts while adding some aesthetic appeal to the project and to the marina. The applicant may also want to pipe music into the parking lot areas. Should the applicant desire to do this, a separate sound study must be conducted to help mitigate any impacts to the adjacent residential uses. The sound system must meet the criteria addressed in the Legends at Sparks Marina Planned Development Handbook.

Traffic and circulation has been identified as a concern within the current development. The existing parking lot configuration has been cause for much concern among City staff, the developer and tenants. To help alleviate congestion, the developer installed a temporary access road to connect the northern and southern portions of the development. A permanent road will be constructed, as part of phase 1 of the project, to provide better access and circulation throughout the site. The street design shall be integrated into the overall design of the center and incorporate pedestrian level

amenities and safe pedestrian crossings while maintaining the open flow between the waterfront and pedestrian mall. It should be noted that this access road will remain private. The developer shall be responsible for implementing any traffic mitigation measures per the traffic analysis to the approval of the Administrator, including but not limited to the completion of both the permanent road on the west side of the project and a roundabout at the intersection of Legends Bay Drive and George Ferris Drive.

Project conditions require the developer provide sufficient access for pedestrians and bikes into the project site. The developer is required to provide pedestrian paths throughout the project site and provide connections to existing paths and trails. The developer must also locate bike racks at several locations throughout the development to encourage alternative methods of transportation.

The Legends at Sparks Marina Planned Development Handbook includes a Regional Transportation Commission requirement that the developer implement an Employee Trip Reduction (ETR) program for business with more than 100 employees. The ETR program should include some combination of transit use, bicycling, walking, carpooling, parking management, flexible work schedules and telecommuting.

To reduce the impact of glare and minimize the effect of parking lot lighting, lighting fixtures with external "hoods" and internal glare reduction louvers will be used. The Sparks Municipal Code states that light cannot spill beyond the property line. Per the Design Standards Manual, the maximum height of lights cannot exceed 43 feet (40-foot pole, 3-foot base). These requirements will help to reduce the impact of the lighting. A photometric plan will be required along with the building permit submittal package.

The previous Special Use Permits for a resort hotel casino on this site qualified as Projects of Regional Significance pursuant to NRS 278.026 (5.). The project will exceed 187,500 gallons of sewage per day and will most likely produce traffic which exceeds 6,250 ADTs (Average Daily Trips). It is unknown whether the development will employ more than 938 employees. It is not likely the development will use more than 625 acre feet per year of water. Since the project contemplates lesser impacts than what was proposed in the previous approvals, staff believes the Regional Planning Commission's prior action of finding the project in conformance with the adopted regional plan it still valid.

Based on the facts and findings in this staff report, and subject to the conditions of approval, staff recommends approval of the proposed project to allow for a non-restricted gaming operation and two hotels with more than 150 rooms (a combined total of 201 rooms) within the Legends at Sparks Marina Planned Development.

SPECIAL USE PERMIT

FINDING S1:

The proposal, as submitted and conditioned, is in compliance with the Master Plan.

There are a number of goals, policies and strategies in the Master Plan that are applicable to this proposal. A focused list of these are as follows:

“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.
- LU1e. The Require a replacement plan and funding of such plan for public assets other than abandoned or vacated public rights of way and easements, which are of interest to the residents of the City of Sparks, prior to their conversion to an alternate land use. The replacement plan and funding to convert public assets shall assure that the new publicly owed asset is located within the City of Sparks.”

"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."

The proposed development will further the goals and policies of the City of Sparks Redevelopment Area 2 Plan as detailed below:

➤ **The elimination of blight and environmental deficiencies in the Redevelopment Area.**

The development of the Legends at Sparks Marina project will continue to further the advancement of the Marina District of Redevelopment Area 2 by removing piles of soil, rubble, and other materials.

➤ **The assembly of land into parcels suitable for modern, integrated development with improved pedestrian and vehicular circulation in the Redevelopment Area.**

As a portion of a larger project, this proposal assembled multiple parcels of land into one integrated destination retail project. With the development of the site there will be improved pedestrian and vehicular circulation.

➤ **The replanning, redesign, and development of undeveloped areas which are stagnant or improperly utilized.**

The project site has long been vacant, under utilized, and a large portion of it was without infrastructure. This area has been planned for more intense tourist commercial development for many years.

➤ **The strengthening of the economic base of the Redevelopment Area and the community by the installation of needed improvements to stimulate new commercial/industrial expansion, employment, and economic growth.**

The proposed project will be part of the largest retail development in Sparks and, when completed, possibly in all of the Truckee Meadows. The more than 1.3 million square feet of new retail, including restaurant and entertainment uses will significantly increase the economic base of Redevelopment Area 2. Not only will it increase sales tax revenue and

employment, it will also generate significant tax increment. The tax increment collected can be used in numerous ways to strengthen the economic base of Redevelopment Area 2, which consists of three separate districts.

➤ **The provision of adequate land for parking, recreational, and open spaces.**

The Marina Area provides recreational and open space opportunities with the Sparks Marina Park. The recreational opportunities will be enhanced with the proposed development. The project site will provide adequate parking for both residents and tourists to enjoy the retail, entertainment, and recreational opportunities.

➤ **The establishment and implementation of performance criteria to assure high site design standards and environmental quality and other design elements which provide unity and integrity to the entire redevelopment effort.**

The design criteria for the proposed project are included in the Legends at Sparks Marina Planned Development Handbook. These standards were derived from both the City of Sparks Design Standards Manual (DSM) and the obsolete Marina Area Plan. The DSM establishes minimum standards the developer is required to follow. The Marina Area Plan provided more detailed standards which had been crafted solely for this area. This will continue to ensure a quality development and provide unity and integrity to the entire redevelopment effort.

The proposed development will also further the goals and policies of the Marina District within the City of Sparks Transit Oriented Development Corridor Area Plan as detailed below:

Goal 3.1: Highlight Sparks Marina as a Regional Recreation Destination

The City will work with the developer to develop the Sparks Marina District as a vibrant mixed-use area that is connected and features a mix of uses.

Key strategies for the City to take to achieve this goal:

3.1 a Support Waterfront Redevelopment and Infill

Redevelop underutilized parcels north of the Sparks Marina waterfront to support its mixed-use recreation activities.

3.1 b. Integrate Legends at Sparks Marina with Adjacent Development

New development adjacent to the Legends at Sparks Marina project should be integrated with the development through appropriate use, height, and design transitions and through connected streets and pathways.

3.1 c. Build on Recreation and Entertainment Theme

The City will work with the Sparks and Reno-Sparks Chambers of Commerce to market the Sparks Marina area to new businesses to further build on the recreation and entertainment theme.

Goal 3.2: Create Cohesive Neighborhoods throughout the District Emphasizing Connectivity to Sparks Marina

Existing and new neighborhoods within the district should be well connected to the marina activity center to facilitate use of the recreation amenities and goods and services by nearby residents.

Key strategies for the City to take to achieve this goal:

3.2 a. Develop the Northern Gateway Marina Neighborhoods

Develop the vacant lands to the north of the Red Development area as a gateway into the district by emphasizing coordinated landscaping and streetscape improvements. Residential neighborhoods should each relate to the other through transitions and architecturally compatible styles and color schemes in-keeping with the established marina-themed development.

3.2 b. Improve Connections between Existing and Future Neighborhoods and the Marina and Activity Center Development

As redevelopment of underutilized lands around the Marina moves forward, efforts should be made to improve pedestrian connectivity between existing older neighborhoods along Prater Way and the Marina-focused activity.

The TOD Corridor Area Plan addresses the land adjacent to existing and proposed transit services lines. The City of Sparks, in support of the 2002 Truckee Meadows Regional Plan, created this Area Plan to encourage development of mixed high density residential and commercial uses within walking distance of transit services. Specifically, the area around the Sparks Marina Park is planned for a combination of commercial, residential, and

recreational land uses. Adjacent to the Marina, and within the TOD Corridor Area Plan, are existing apartments, shopping centers, mobile home park, amusement park, and light industrial uses.

The project site is located on the eastern shore of the Sparks Marina Park and north of Interstate 80. The retired Marina Area Plan identified this area as a "high profile site." The plan stated that "landmark" structures will be permitted in the high profile locations identified in the plan. While the Marina Area Plan was removed from the Master Plan, and the area is now included within the TOD Corridor Area Plan, the fact remains that the project site lies in a highly prominent location visible from both the Interstate and Marina. The importance of this location was considered with the approval of the Legends at Sparks Marina Planned Development. The Legends development was intended to be a true destination for tourists and locals alike. It's appropriate that a destination retail center, which is intended to cater to tourists, include hotel accommodations. The development also furthers the goals and policies of the TOD Corridor Area Plan by encouraging higher intensity uses, clustering of services and maximum utilization of land resources.

There are many goals and policies in the master plan that relate to the project site. Based on the descriptions of how each goal or policy is met, staff believes the project as conditioned is in compliance with the Sparks Master Plan.

FINDING S2:

The application, as submitted and conditioned, is compatible with the existing or permitted uses of adjacent properties.

SURROUNDING LAND USES , ZONING, AND DENSITY

- North: Vacant, NUD (Legends at Sparks Marina)
- East: Vacant, NUD (Legends at Sparks Marina)
- South: Vacant, NUD (Legends at Sparks Marina)
- West: Single Family Residential, PD (Marina Village) & Sparks Marina Park

The TOD Corridor Area Plan encourages development with a variety of different uses. The mix may include restaurants, travelers and business services, including business lodging, specialty retail, commercial recreation and high density residential use. With the exception of the high density

residential use to the west, the rest of the surrounding properties are included within the TOD Area Plan and will be developed accordingly.

As stated previously, the project site is located on the eastern shore of the Sparks Marina Park and north of Interstate 80. The obsolete Marina Area Plan identified this area as a "high profile site." The plan stated that "landmark" structures will be permitted in the high profile locations identified in the plan. While it is recognized that the Marina Area Plan no longer exists and that the area is now included within the TOD Corridor Area Plan, the fact remains that the project site lies in a highly prominent location visible from both the Interstate and Marina. This development will reinforce the goals and policies of the City that were considered with the approval of the Legends at Sparks Marina Planned Development. It was the intent of the Legends development to be a true destination for tourists and locals alike. It's appropriate that a destination retail center, which is intended to cater to tourism, include hotel accommodations. The development also furthers the goals and policies of the TOD Corridor Area Plan by encouraging higher intensity uses, clustering of services, and maximum utilization of land resources.

FINDING S3:

The potential impairment of natural resources and the total population which available natural resources will support without unreasonable impairment has been considered.

The proposed project is located in an area with an approved planned development handbook and area plan. As such, this area was reviewed and approved for this type of development and at the time the development was considered, it was decided that it would not impair natural resources. It was also determined that the available natural resources which support the total population would do so without unreasonable impairment.

FINDING S4:

The availability of and need for affordable housing in the community, including affordable housing that is accessible to persons with disabilities has been considered.

The proposed project is located in an area with an approved planned development handbook and area plan. As such, this area was reviewed and approved for this type of development and at the time the development was considered, it was decided that it would not impact the availability and need

for affordable housing in the community, including affordable housing that is accessible to persons with disabilities.

FINDING S5:

The application, as submitted and conditioned, will address identified impacts.

Avigation easement:

The developer shall demonstrate to the approval of the administrator that an avigation easement has been granted to and accepted by the Airport Authority of Washoe County prior to issuance of a building permit for the project. The developer must also comply with the requirements of the Federal Aviation Administration.

Design standards:

The developer shall comply with the design standards and regulations as set forth in the Legends at Sparks Marina Planned Development Handbook, Sparks Municipal Code and City of Sparks Design Standards Manual unless in conflict with the local, state or federal regulations, in which case the more stringent regulation will take precedence.

Architecture/building elevations:

The development of the subject site shall comply with the architectural requirements established within the Legends at Sparks Marina Planned Development Handbook and City of Sparks Design Standards Manual. Building elevations must be approved by the Planning Commission as a general business item prior to the issuance of a building permit for the construction of any building. The developer shall articulate long facades by varying building mass, form, texture, and interplay of solid and open areas.

Waste Management:

The developer shall obtain a "will serve" letter from Waste Management/Sparks Sanitation prior to the issuance of a building permit for the project.

Combustibles on-site:

No combustibles shall be brought on-site prior to the installation and acceptance of an all weather surface and installation of fire hydrants to the approval of the Fire Chief and Administrator.

Reciprocal Easements:

The developer is required to provide irrevocable reciprocal parking, access, storm drainage maintenance, and landscape easements over the approximately 13 acre site. These easements shall be incorporated into the recorded documents for the commercial site.

Traffic Improvements:

The developer shall be responsible for implementing any traffic mitigation measures per the traffic analysis to the approval of the Administrator, including but not limited to the completion of both the permanent road on the west side of the project and a roundabout at the intersection of Legends Bay Drive and George Ferris Drive.

Sound Study:

A sound study shall be required to ensure that the impacts to the residential areas are within the parameters of the Sparks Municipal Code. The applicant for the hotel casino is proposing to cease the water and light show at the amphitheatre at 10:00 PM Sunday through Thursday and 12:00 AM on Friday and Saturday nights. Any events proposed outside of these hours are subject to a special events permit. Should the applicant desire to pipe music into the parking lot areas, a separate study must be conducted to mitigate any impacts to the adjacent residential use to the west. The sound system must meet the criteria addressed in the Legends at Sparks Marina Planned Development Handbook.

FINDING S6:

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

Public notice was given per the requirements of Sparks Municipal Code and Nevada Revised Statutes. The Planning Commission meeting functions as the public hearings for the Special Use Permit.

Conditions of Approval for PCN12022 Special Use Permit

1. APPROVAL:

THE DEVELOPMENT IS APPROVED AS SUBMITTED AND CONDITIONED. ANY SUBSTANTIVE CHANGE SHALL BE REVIEWED BY THE PLANNING COMMISSION AS AN AMENDMENT TO THIS SPECIAL USE PERMIT.

THE INITIAL PHASE OF THIS PROJECT WILL INCLUDE APPROXIMATELY 60,000 SQUARE FEET OF CASINO, RESTAURANT, AND "BACK OF HOUSE" AREAS ALONG WITH TWO HOTELS CONSISTING OF A TOTAL OF 201 ROOMS. THIS SPECIAL USE PERMIT APPROVAL ALSO INCLUDES A PROPOSED FUTURE EXPANSION OF APPROXIMATELY 20,000 SQUARE FEET TO THE GAMING FLOOR AND APPROXIMATELY 14,000 SQUARE FEET OF ADDITIONAL FOOD AND BEVERAGE USES INCLUDING "BACK OF HOUSE" AREA. ANY FUTURE EXPANSIONS WHICH EXCEED THE QUANTITIES LISTED ABOVE SHALL BE DEEMED A SUBSTANTIVE CHANGE AND REQUIRE AN AMENDMENT TO THIS SPECIAL USE PERMIT.

2. EXPIRATION DATE:

THE SPECIAL USE PERMIT SHALL EXPIRE WITHIN ONE (1) YEAR OF THE DATE OF PLANNING COMMISSION APPROVAL, UNLESS THE PERMITTED USE HAS BEEN ESTABLISHED OR CONSTRUCTION TO ACCOMMODATE THAT USE HAS BEGUN AND IS BEING DILIGENTLY PURSUED. A ONE-YEAR EXTENSION MAY BE GRANTED BY THE PLANNING COMMISSION IF REQUESTED PRIOR TO THE EXPIRATION DATE OF THE SPECIAL USE PERMIT.

3. WATER RIGHTS:

THE DEVELOPERS SHALL DEDICATE SUFFICIENT WATER RIGHTS PER S.M.C. 17.12.075(A)(1) TO ADEQUATELY SERVE THE PROJECT PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR THE PROJECT.

4. LANDSCAPING/IRRIGATION:

THE DEVELOPER SHALL SUBMIT A LANDSCAPING & IRRIGATION PLAN FOR THE PROJECT IN CONFORMANCE WITH THE LEGENDS AT SPARKS MARINA PLANNED DEVELOPMENT HANDBOOK, SPARKS MUNICIPAL CODE CHAPTER 20.32, AND THE CITY OF SPARKS DESIGN STANDARDS MANUAL FOR REVIEW AND APPROVAL BY THE ADMINISTRATOR PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR THE PROJECT.

THE ENTIRE PERIMETER LANDSCAPING AND IRRIGATION SHALL BE INSTALLED PER THE LEGENDS AT SPARKS MARINA PLANNED DEVELOPMENT HANDBOOK. BUILDING SITES NOT IMMEDIATELY CONSTRUCTED SHALL BE REVEGETATED WITH GRASSES, GROUND COVERS, AND/OR WILDFLOWERS AND TEMPORARY IRRIGATION SHALL BE PROVIDED AND MAINTAINED, INCLUDING DUST CONTROL, UNTIL CONSTRUCTION BEGINS ON THOSE SITES.

Conditions of Approval for PCN12022 **Special Use Permit**

5. CONSTRUCTION HOURS:
THE DEVELOPER SHALL COMPLY WITH THE CONSTRUCTION HOURS AS OUTLINED IN THE LEGENDS AT SPARKS MARINA PLANNED DEVELOPMENT HANDBOOK TO THE APPROVAL OF THE ADMINISTRATOR.

6. CONSTRUCTION MAINTENANCE:
THE DEVELOPER SHALL LOCATE AND UTILIZE A SUFFICIENT NUMBER OF TRASH CONTAINERS ON-SITE TO BE UTILIZED DURING THE CONSTRUCTION OF THE PROJECT TO MAINTAIN THE PROJECT SITE IN A CLEAN AND ORDERLY STATE TO THE APPROVAL OF THE ADMINISTRATOR.

7. GRADING PERMIT:
THE DEVELOPER SHALL SUBMIT A GRADING PLAN FOR ANY PHASE OF THE PROJECT TO THE APPROVAL OF THE ADMINISTRATOR. PRIOR TO THE ISSUANCE OF A GRADING PERMIT FOR THE DEVELOPMENT THE DEVELOPER SHALL POST A SURETY BOND FOR REGRADING AND RECLAMATION AS WELL AS PROOF OF A STORM WATER DISCHARGE PERMIT FROM THE NEVADA DEPARTMENT OF ENVIRONMENTAL PROTECTION.

8. STORM DRAINAGE:
THE DEVELOPER SHALL PROVIDE A FINAL HYDROLOGICAL REPORT FOR THE PROJECT IN CONFORMANCE WITH THE CITY'S DRAFT HYDROLOGICAL CRITERIA AND DRAINAGE DESIGN MANUAL (HCDDM) FOR REVIEW AND APPROVAL BY THE ADMINISTRATOR PRIOR TO APPROVAL OF A BUILDING PERMIT FOR ANY PORTION OF THE PROJECT. EACH SUCCESSIVE PHASE OF THE PROJECT SHALL SUBMIT AN UPDATED HYDROLOGICAL REPORT FOR REVIEW AND APPROVAL BY THE ADMINISTRATOR SHOWING THE CUMULATIVE EFFECT OF THE DEVELOPED PORTION OF THE PROJECT ALONG WITH THE PROPOSED PHASE'S EFFECT ON THE TOTAL DISCHARGE INTO THE DRAINAGE SYSTEM. THE STORM WATER AND DRAINAGE PLANS FOR THE PHASES OF THE DEVELOPMENT SHALL BE REVIEWED AND APPROVED BY THE ADMINISTRATOR PRIOR TO THE ISSUANCE OF A GRADING PERMIT FOR THE PHASES OF THE PROJECT.

9. STRUCTURAL CONTROLS:
THE DEVELOPER SHALL UTILIZE STRUCTURAL CONTROLS FOR THE TREATMENT OF STORM WATER RUNOFF IN ACCORDANCE WITH THE METHODS AND PRACTICES PRESCRIBED IN THE TRUCKEE MEADOWS STRUCTURAL CONTROLS DESIGN MANUAL.

Conditions of Approval for PCN12022 **Special Use Permit**

10. AIRPORT AUTHORITY:

THE DEVELOPER SHALL COMPLY WITH THE REQUIREMENTS OUTLINED IN A LETTER FROM LISSA BUTTERFIELD DATED JUNE 19, 2012 FROM THE RENO-TAHOE AIRPORT AUTHORITY TO THE APPROVAL OF THE ADMINISTRATOR PRIOR TO ISSUANCE OF ANY BUILDING PERMIT FOR THE PROJECT.

11. PROJECT CONTACT:

THE DEVELOPER SHALL DESIGNATE TO THE ADMINISTRATOR A PROJECT CONTACT PERSON RESPONSIBLE/AUTHORIZED TO CORRECT PROBLEMS REGARDING THE PROJECT ON A 24-HOUR/7-DAYS A WEEK BASIS. THE DEVELOPER SHALL DESIGNATE THE PROJECT CONTACT PERSON TO THE ADMINISTRATOR PRIOR TO ISSUANCE OF A GRADING PERMIT FOR THE PROJECT.

12. LEGENDS AT SPARKS MARINA PLANNED DEVELOPMENT HANDBOOK:

THE DEVELOPER SHALL COMPLY WITH THE DESIGN STANDARDS AND REGULATIONS AS SET FORTH IN THE LEGENDS AT SPARKS MARINA PLANNED DEVELOPMENT HANDBOOK, UNLESS IN CONFLICT WITH THE LOCAL, STATE OR FEDERAL REGULATIONS, IN WHICH CASE THE MORE STRINGENT REGULATION WILL TAKE PRECEDENCE.

13. ARCHITECTURE/BUILDING ELEVATIONS:

THE DEVELOPMENT OF THE SUBJECT SITE SHALL COMPLY WITH THE ARCHITECTURAL REQUIREMENTS ESTABLISHED WITHIN THE LEGENDS AT SPARKS MARINA PLANNED DEVELOPMENT HANDBOOK. BUILDING ELEVATIONS MUST BE APPROVED BY THE PLANNING COMMISSION AS A GENERAL BUSINESS ITEM PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR THE CONSTRUCTION OF ANY BUILDING. THE DEVELOPER SHALL ARTICULATE LONG FACADES BY VARYING BUILDING MASS, FORM, TEXTURE, AND INTERPLAY OF SOLID AND OPEN AREAS.

14. FIRE DEPARTMENT:

THE DEVELOPER SHALL COMPLY WITH ALL REQUIREMENTS OF THE FIRE DEPARTMENT INCLUDING BUT NOT LIMITED TO DEVELOPING A PLAN TO PROVIDE ADEQUATE EMERGENCY ACCESS THROUGHOUT THE SITE, DEVELOPING A MASTER FIRE HYDRANT AND FIRE FLOW PLAN, DEVELOPING A MASTER FIRE DEPARTMENT CONNECTION (FDC) PLAN, AND INSTALLING FIRE SUPPRESSION AND/OR ALARM SYSTEMS TO THE APPROVAL OF THE FIRE CHIEF PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.

Conditions of Approval for PCN12022 **Special Use Permit**

15. WASHOE COUNTY DISTRICT HEALTH DEPARTMENT:
THE DEVELOPER SHALL COMPLY WITH THE REQUIREMENTS OF THE WASHOE COUNTY DISTRICT HEALTH DEPARTMENT INCLUDING BUT NOT LIMITED TO THE ITEMS DISCUSSED IN THE LETTER FROM BRUAN TYRE DATED JUNE 26, 2012, TO THE APPROVAL OF THE ADMINISTRATOR.

16. BUILDING DEPARTMENT:
THE DEVELOPER SHALL COMPLY WITH ALL REQUIREMENTS OF THE BUILDING DEPARTMENT INCLUDING, BUT NOT LIMITED TO, PROVIDING PLANS THAT SHOW WHERE THE PROPERTY LINES ARE TO BE LOCATED, TO THE APPROVAL OF THE BUILDING OFFICIAL PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.

17. ENGINEERING DIVISION:
THE DEVELOPER SHALL COMPLY WITH THE REQUIREMENTS OF THE ENGINEERING DIVISION OF THE COMMUNITY SERVICES DEPARTMENT INCLUDING BUT NOT LIMITED TO PROVIDING A HYDROLOGY REPORT, PROVIDING A GRADING AND UTILITY PLAN, AND ANY OTHER REQUIREMENT FROM THE ENGINEERING DIVISION TO THE APPROVAL OF THE ADMINISTRATOR PRIOR TO THE CERTIFICATE OF OCCUPANCY AND SPECIAL USE PERMIT CERTIFICATE FOR THE PROJECT.

18. SITE PLAN REVIEW PROCESS:
THE NEW CONSTRUCTION OF ANY PORTION OF FUTURE PHASES IS SUBJECT TO REVIEW AND APPROVAL THROUGH THE CITY'S SITE PLAN REVIEW PROCESS FOR CONFORMANCE TO THE DESIGN STANDARDS ESTABLISHED IN THE LEGENDS AT SPARKS MARINA PLANNED DEVELOPMENT HANDBOOK AND THIS SPECIAL USE PERMIT.

19. WASTE MANAGEMENT:
THE DEVELOPER SHALL OBTAIN A "WILL SERVE" LETTER FROM WASTE MANAGEMENT/SPARKS SANITATION PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR THE PROJECT.

20. COMBUSTIBLES ON-SITE:
NO COMBUSTIBLES SHALL BE BROUGHT ON-SITE PRIOR TO THE INSTALLATION AND ACCEPTANCE OF AN ALL WEATHER SURFACE AND INSTALLATION OF FIRE HYDRANTS TO THE APPROVAL OF THE FIRE CHIEF AND ADMINISTRATOR.

Conditions of Approval for PCN12022 Special Use Permit

21. REGIONAL TRANSPORTATION COMMISSION:

THE DEVELOPER SHALL COMPLY WITH THE REQUIREMENTS OF THE REGIONAL TRANSPORTATION COMMISSION, INCLUDING BUT NOT LIMITED TO THE ITEMS DISCUSSED IN THE LETTER FROM PATRICE ECHOLA DATED JUNE 9, 2012, TO THE APPROVAL OF THE ADMINISTRATOR AND PUBLIC WORKS DIRECTOR.

22. EMPLOYEE TRIP REDUCTION:

PRIOR TO ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY, THE DEVELOPER SHALL HAVE AN EMPLOYEE TRIP REDUCTION (ETR) PROGRAM APPROVED BY THE ADMINISTRATOR UPON RECOMMENDATION FROM RTC. THE ETR PROGRAM SHOULD INCLUDE SOME COMBINATION OF TRANSIT USE, BICYCLING, WALKING, CARPOOLING, PARKING MANAGEMENT, FLEXIBLE WORK SCHEDULES AND TELECOMMUTING AND SHALL APPOINT A DESIGNATED ETR COORDINATOR ON-SITE.

23. SITE ACCESS & CIRCULATION:

THE DEVELOPER SHALL PROVIDE SUFFICIENT ACCESS FOR PEDESTRIANS AND BIKES INTO THE PROJECT SITE. THE DEVELOPER SHALL CONVENIENTLY LOCATE BIKE RACKS AT SEVERAL LOCATIONS THROUGHOUT THE DEVELOPMENT TO THE APPROVAL OF THE ADMINISTRATOR PRIOR TO THE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY FOR THE FIRST BUILDING CONSTRUCTED.

THE NORTH-SOUTH CONNECTOR ROAD LOCATED ALONG THE WESTERN SIDE OF THE PROJECT SHALL BE COMPLETED TO THE APPROVAL OF THE ADMINISTRATOR PRIOR TO THE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY FOR THE NONRESTRICTED GAMING OPERATION.

24. ROUNDABOUT:

THE DEVELOPER SHALL SUBMIT A FINAL DESIGN AND HAVE ACQUIRED ALL NECESSARY RIGHT-OF-WAY FOR THE ROUNDABOUT TO BE LOCATED AT LEGENDS BAY DRIVE AND GEORGE FERRIS DRIVE PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR THE PROJECT. THE ROUNDABOUT MUST BE CONSTRUCTED AND ACCEPTED BY THE CITY PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR ANY PORTION OF THIS PROJECT TO THE APPROVAL OF THE ADMINISTRATOR.

25. LIGHTING:

THE DEVELOPER SHALL SUBMIT A LIGHTING PLAN FOR REVIEW AND APPROVAL BY THE ADMINISTRATOR PRIOR TO THE ISSUANCE OF A BUILDING PERMIT. THE DEVELOPER IS REQUIRED TO COMPLY WITH THE LIGHTING STANDARDS AND REQUIREMENTS OF THE LEGENDS AT SPARKS MARINA PLANNED DEVELOPMENT HANDBOOK. TO REDUCE THE IMPACT OF GLARE AND MINIMIZE THE EFFECT OF FIELD AND PARKING LIGHTING, LIGHTING FIXTURES WITH EXTERNAL "HOODS" AND INTERNAL GLARE REDUCTION LOUVERS SHALL BE USED.

**Conditions of Approval for PCN12022
Special Use Permit**

26. SITE MAINTENANCE:

THE DEVELOPER SHALL LIMIT ALL NOISE GENERATING MAINTENANCE SUCH AS PARKING LOT SWEEPING OR SNOW REMOVAL TO BETWEEN THE HOURS OF 7:00 AM TO 10:00 PM, SEVEN DAYS A WEEK.

27. RECIPROCAL EASEMENTS:

THE DEVELOPER SHALL PROVIDE IRREVOCABLE RECIPROCAL PARKING, ACCESS, STORM DRAINAGE MAINTENANCE, AND LANDSCAPE EASEMENTS OVER THE PROJECT SITE TO THE APPROVAL OF THE ADMINISTRATOR PRIOR TO THE ISSUANCE OF A BUILDING PERMIT. THESE EASEMENTS SHALL BE INCORPORATED INTO THE RECORDED DOCUMENTS FOR THE ENTIRE COMMERCIAL SITE.

28. SOUND STUDY:

THE DEVELOPER SHALL CONDUCT A NOISE STUDY BY A CERTIFIED ACOUSTICAL ENGINEER DEMONSTRATING THAT ANY PROPOSED MUSIC, WATER, AND OR LIGHT SHOW MEETS THE REQUIREMENTS OF THE SPARKS MUNICIPAL CODE TO THE APPROVAL OF THE ADMINISTRATOR.

29. WATERFRONT/BOARDWALK IMPROVEMENTS:

PRIOR TO THE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY FOR ANY PORTION OF THE RESORT HOTEL CASINO, THE WATERFRONT/BOARDWALK IMPROVEMENTS SHALL BE SUBSTANTIALLY COMPLETED TO THE APPROVAL OF THE ADMINISTRATOR.

30. CERTIFICATE OF OCCUPANCY:

NO CERTIFICATE OF OCCUPANCY SHALL BE ISSUED FOR THE NONRESTRICTED GAMING OPERATION PRIOR TO THE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY FOR THE HOTEL COMPONENT.

31. BUFFER WALL:

PRIOR TO ANY VERTICAL CONSTRUCTION, THE BUFFER WALL GENERALLY LOCATED ALONG THE WESTERN PROPERTY LINE SHALL BE COMPLETED TO THE APPROVAL OF THE ADMINISTRATOR.

OLYMPIA GAMING CRS (SPARKS), L.L.C.

Business Entity Information

Status:	Active	File Date:	7/6/2006
Type:	Domestic Limited-Liability Company	Entity Number:	E0504202006-3
Qualifying State:	NV	List of Officers Due:	7/31/2013
Managed By:	Managers	Expiration Date:	
NV Business ID:	NV20061127661	Business License Exp:	7/31/2013

Registered Agent Information

Name:	GOOLD PATTERSON	Address 1:	1975 VILLAGE CENTER CIRCLE STE 140
Address 2:		City:	LAS VEGAS
State:	NV	Zip Code:	89134
Phone:		Fax:	
Mailing Address 1:		Mailing Address 2:	
Mailing City:		Mailing State:	NV
Mailing Zip Code:			
Agent Type:	Commercial Registered Agent - Limited-Liability Corporation		
Jurisdiction:	NEVADA	Status:	Active

Officers

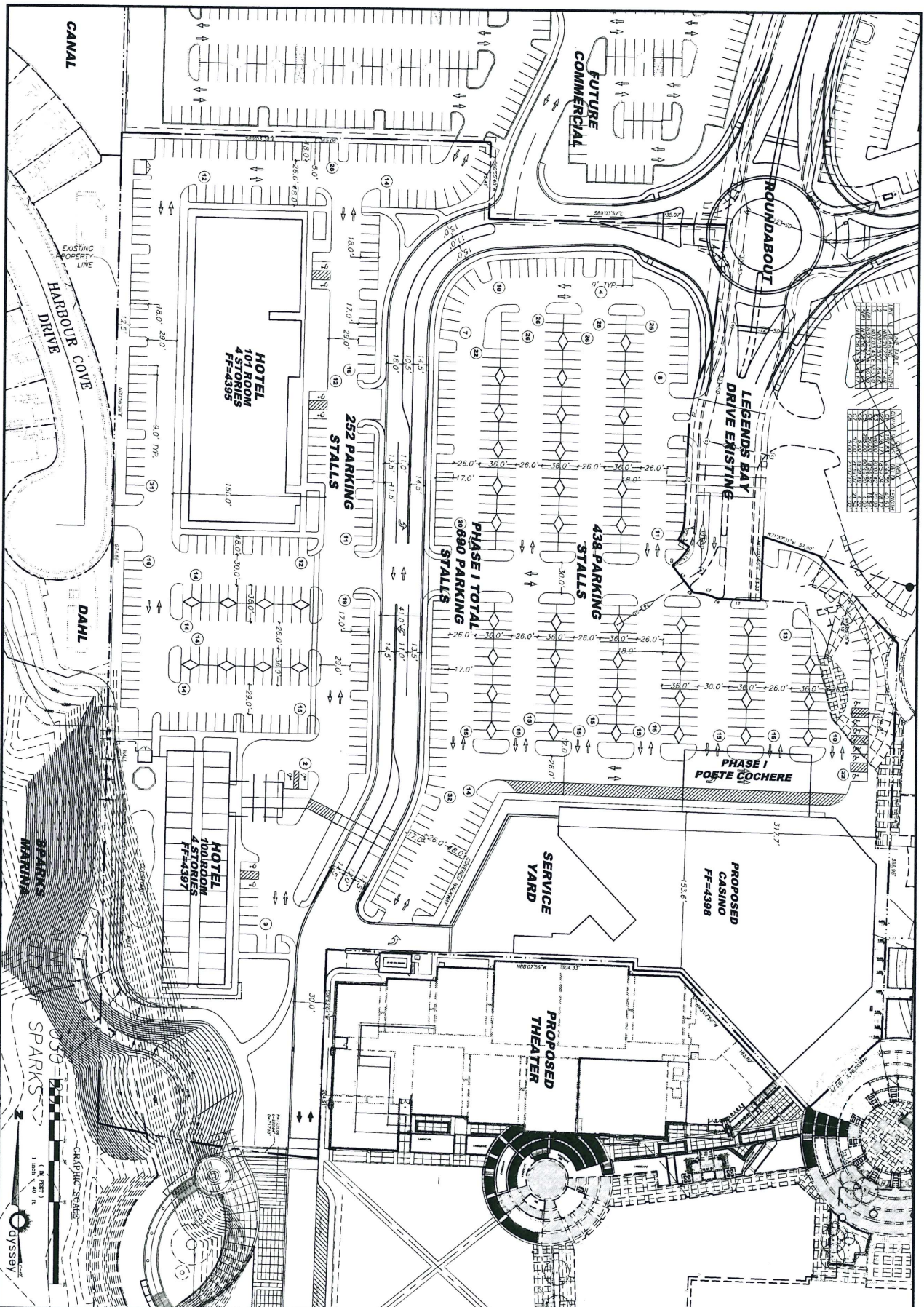
 Include Inactive Officers

Manager - GARRY V GOETT			
Address 1:	11411 SOUTHERN HIGHLANDS PARKWAY	Address 2:	SUITE 300
City:	LAS VEGAS	State:	NV
Zip Code:	89141	Country:	USA
Status:	Active	Email:	
Manager - R BRETT GOETT			
Address 1:	7001 N. SCOTTSDALE ROAD	Address 2:	SUITE 1040
City:	SCOTTSDALE	State:	AZ
Zip Code:	85253	Country:	USA
Status:	Active	Email:	
Manager - GUY INZALACO			
Address 1:	11411 SOUTHERN HIGHLANDS PARKWAY	Address 2:	SUITE 300

City:	LAS VEGAS	State:	NV
Zip Code:	89141	Country:	USA
Status:	Active	Email:	


Actions\Amendments

Action Type:	Articles of Organization		
Document Number:	20060433282-10	# of Pages:	2
File Date:	7/6/2006	Effective Date:	
(No notes for this action)			
Action Type:	Initial List		
Document Number:	20060475695-84	# of Pages:	1
File Date:	7/27/2006	Effective Date:	
(No notes for this action)			
Action Type:	Annual List		
Document Number:	20070331489-67	# of Pages:	1
File Date:	5/11/2007	Effective Date:	
(No notes for this action)			
Action Type:	Annual List		
Document Number:	20080424337-23	# of Pages:	1
File Date:	6/25/2008	Effective Date:	
(No notes for this action)			
Action Type:	Annual List		
Document Number:	20090577466-36	# of Pages:	1
File Date:	7/28/2009	Effective Date:	
(No notes for this action)			
Action Type:	Annual List		
Document Number:	20100553462-28	# of Pages:	1
File Date:	7/27/2010	Effective Date:	
(No notes for this action)			
Action Type:	Annual List		
Document Number:	20110518755-45	# of Pages:	1
File Date:	7/14/2011	Effective Date:	
(No notes for this action)			
Action Type:	Annual List		
Document Number:	20120472299-58	# of Pages:	1
File Date:	7/6/2012	Effective Date:	
(No notes for this action)			



SHEET
S-1
 OF
4

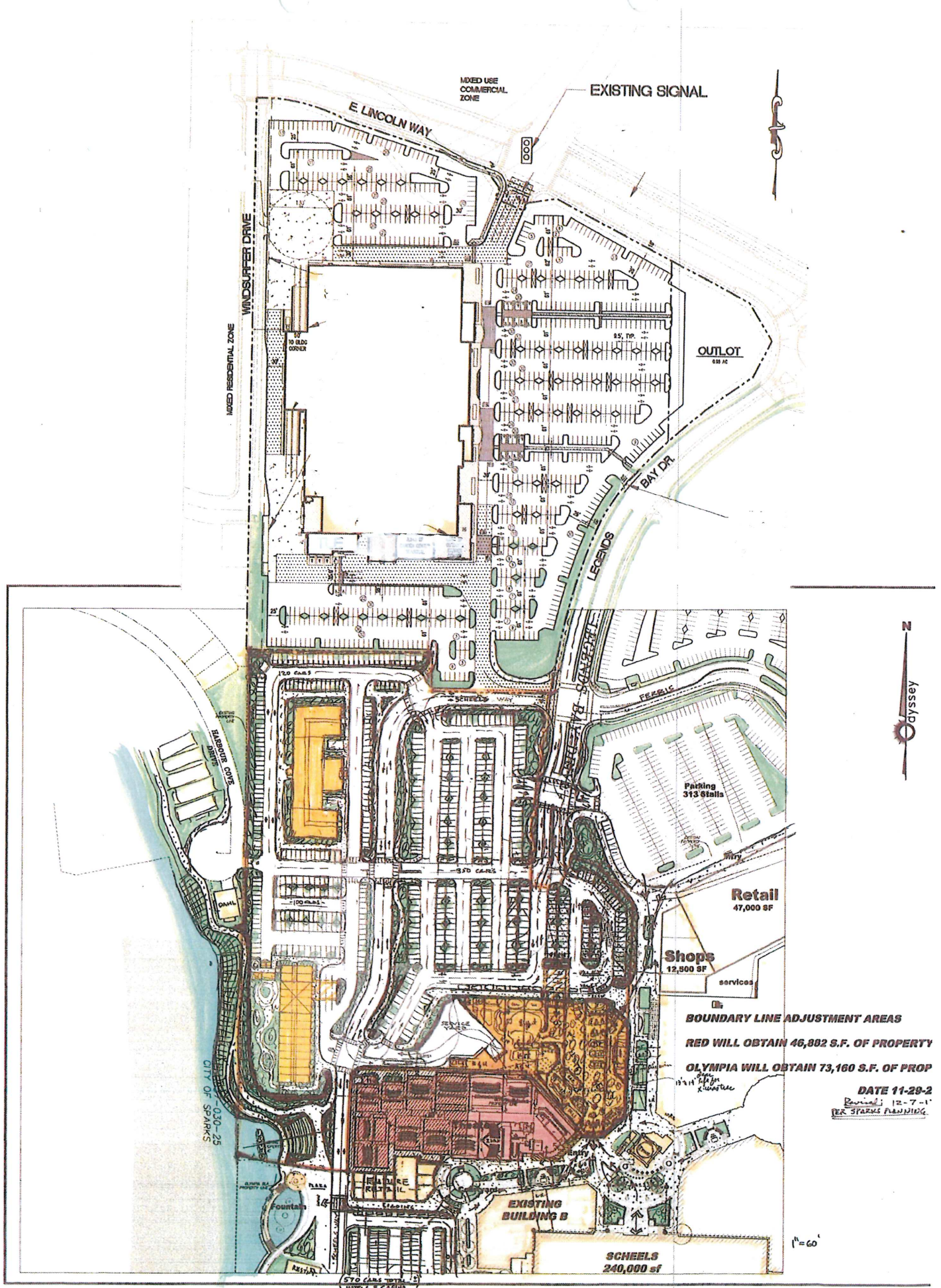
SCALE
 1" = 40'
 NORTH
 WASHOE COUNTY
 2008 NO.


 895 ROBERTA LANE, SUITE 104, SPARKS, NV 89431
 (775) 369-3303 FAX (775) 369-3329
dyyssey ENGINEERING
 INCORPORATED

LEGENDS AT SPARKS MARINA
LEGENDS BAY CASINO
PRELIMINARY SITE PLAN
 SPARKS WASHOE COUNTY NEVADA

DATE: JANUARY 2013
 DRAWN BY:
 DESIGNED BY: F.B.
 CHECKED BY: F.B.

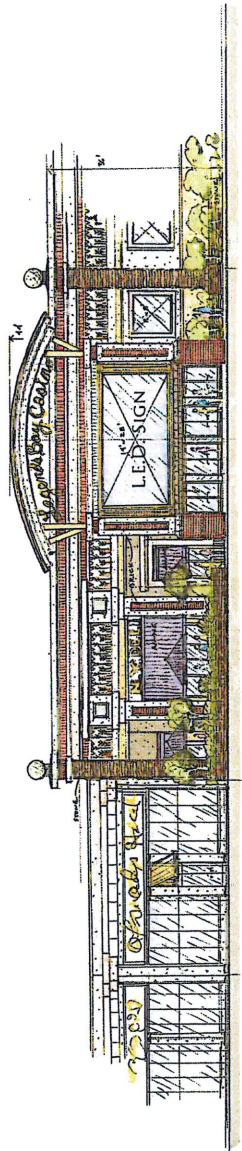
REV.	DATE	DESCRIPTION	BY	APP'D



BOUNDARY LINE ADJUSTMENT AREAS
RED WILL OBTAIN 46,882 S.F. OF PROPERTY
OLYMPIA WILL OBTAIN 73,160 S.F. OF PROP

DATE 11-29-2
 Revised: 12-7-1
 PER SPARKS PLANNING

1"=60'

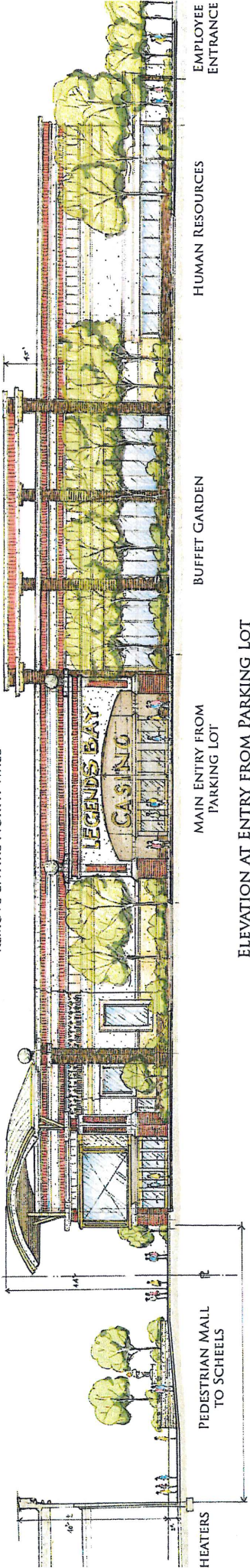


RETAIL
(BY OTHERS)

TERRACE DINING

ELEVATION AT ENTRY FROM MALL PLAZA AT SCHEELS

FOR PHASE 2 EXPANSION,
REMOVE ENTIRE NORTH WALL



HEATERS

PEDESTRIAN MALL
TO SCHEELS

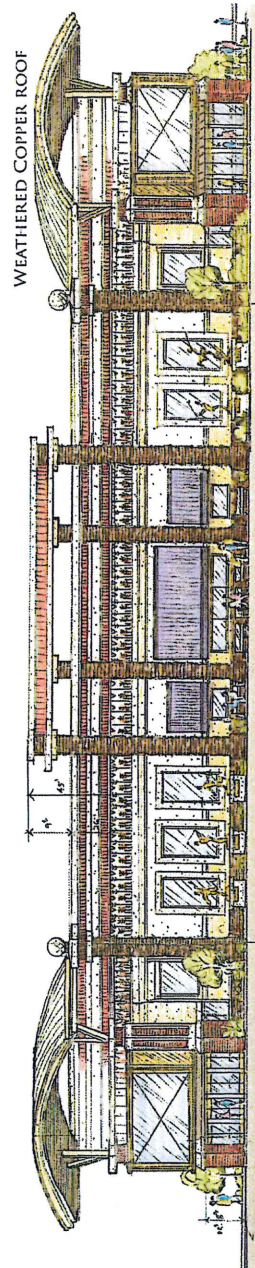
MAIN ENTRY FROM
PARKING LOT

BUFFET GARDEN

HUMAN RESOURCES

EMPLOYEE
ENTRANCE

ELEVATION AT ENTRY FROM PARKING LOT



WEATHERED COPPER ROOF

THREE LEGENDS

PARK BENCHES

TWO LEGENDS

ELEVATION AT MALL ADJACENT TO THEATER

LEGENDS BAY
CASINO RESORT

PETER B. WILDAY, ARCHITECT

CASINO ELEVATIONS



REGIONAL TRANSPORTATION COMMISSION

Public Transportation • Streets and Highways • Planning

**PUBLIC WORKS
DEPARTMENT**

JUL 13 2012

RECEIVED
FR: Chrono/PL 182-12

June 9, 2012

Mr. Tim Thompson, Associate Planner
Planning Department
Community Services Department
City of Sparks
431 Prater Way
Sparks, NV 89434

RE: PCN12022 (OLYMPIA GAMING CRS LEGENDS)

Dear Tim;

The applicant is requesting a special use permit to allow for a 201 room resort hotel/casino on +/-12.6 acres in the NUD district located at 100 Legends Bay Drive in Sparks.

The Regional Transportation Plan (RTP), the RTC Bicycle/Pedestrian Master Plan, the Regional ADA Transition Plan and the FHWA Pedestrian Safety Action Plan all indicate that new development and re-development will be encouraged to construct pedestrian and bicycle facilities internal and/or adjacent to the development within the regional road system. Also, recommend the applicant be required to design and construct any sidewalk along the frontage of the property in conformance with the stated ADA specifications.

Please have the developer contact RTC Senior Transit Planner, Tina Wu, at 335.1908 to discuss potential transit improvements such as constructing concrete passenger boarding/alighting pads and connecting the pad to the internal pedestrian circulation system by a sidewalk at least five feet wide. The applicant or their consultant should allow ten working days for review of any required transit improvements.

As there is no specific site plan proposed at this time, the RTC reserves the rights to submit Engineering comments on the impacts to the Regional Road System (RRS), at a later date.

The Regional Transportation Plan (RTP) policies indicate all new development will be encouraged to construct pedestrian and bicycle facilities internal and/or adjacent to the development within the regional road system. We recommend the applicant be required to design and construct a sidewalk along the frontage of the property in conformance with ADA specifications.

Thank you for the opportunity to comment on this project. Specific questions regarding RTC comments or the need to meet with the applicants should be directed to Patrice Echola, Transportation Planner, at 335.1904.

Sincerely,

A handwritten signature in black ink, appearing to read 'Patrice Echola', written over a horizontal line.

Patrice Echola
Land Use/Transportation Planner

PE/jm

Copies to: Sparks City Council
Sparks Planning Commission
Jon Ericson, City of Sparks Public Works
Marchon Miller, Regional Transportation Commission
Tina Wu, Regional Transportation Commission



Reno-Tahoe International Airport

P.O. Box 12490 • Reno, NV 89510-2490 • (775) 328-6400 • Fax (775) 328-6510

June 19, 2012

Tim Thompson
Senior Planner
Sparks CityWorks
1675 East Prater Way, Suite 107
Sparks, NV 89432-0857

**Re: Legends Bay Casino Resort
APN 037-030-46**

Dear Mr. Thompson:

The above referenced project is partially within the conical surface of the Airport Airspace Plan for Reno-Tahoe International Airport as defined by FAR Part 77. In addition, all of the property is located near the flight path of arriving and departing aircraft for Reno-Tahoe International Airport and within 15,000 feet of the end of the Runway 16L centerline.

Should any portion of this project be 150 feet above ground level, please include the following as a condition of approval: The applicant(s) and/or property owner(s) shall submit one executed form set of FAA Form 7460-1, Notice of Proposed Construction or Alteration, to the Chief, Air Traffic Division, FAA Western-Pacific Regional Office, for the proposed project. Any changes or special requirements requested by the FAA, in its review, shall be incorporated into the building plans.

Additionally should any temporary equipment, 150 feet in height or greater, be required for the construction of this project, please include the following requirement: The applicant(s) and/or property owner(s) shall submit one executed form set of FAA Form 7460-1, Notice of Proposed Construction or Alteration, to the Chief, Air Traffic Division, FAA Western-Pacific Regional Office, for the erection or construction of temporary construction equipment which meets the notice criteria of FAR Part 77, Subpart B, (i.e. cranes, derricks, etc.). A copy of said notice shall be provided to the Building Department prior to issuance of a building permit.

Thank you for your continuous cooperation. If you have any questions, please call me at (775) 328-6476.

Sincerely,

Lissa K. Butterfield
Airport Planner

PUBLIC WORKS
DEPARTMENT

JUN 22 2012

RECEIVED

/lkb



Washoe County Health District

ENVIRONMENTAL HEALTH SERVICES DIVISION



Public Health
Prevent. Promote. Protect.

June 26, 2012

Tim Thompson, AICP, Planner
City of Sparks Planning Department
431 Prater Way
Sparks, Nevada 89431

**RE: Legends Bay Casino Resort
Special Use Permit PCN12022
100 Legends Bay Drive, Sparks, NV (APN 037-030-46)
E2010-027**

Dear Mr. Thompson:

Please refer to the Washoe County Health District letter of July 2, 2010 (attached) for comments and conditions for this project.

If you have any questions regarding the foregoing, please call me at 328-2430.

Sincerely,

A handwritten signature in black ink, appearing to read "Bryan W. Tyre".

Bryan W. Tyre, P.E.
Acting Senior Licensed Engineer
Environmental Health Services

BWT/dc

Enclosure

Cc: DC Graham, Olympia Gaming CRS, LLC
Mike Railey, Rubicon Design Group, LLC

PUBLIC WORKS
DEPARTMENT
JUN 28 2012
RECEIVED

1001 EAST NINTH STREET / P.O. BOX 11130, RENO, NEVADA 89520 328-2434 FAX (775) 328-6176

www.washoecounty.us/health
WASHOE COUNTY IS AN EQUAL OPPORTUNITY EMPLOYER
PRINTED ON RECYCLED PAPER



Washoe County Health District

ENVIRONMENTAL HEALTH SERVICES DIVISION

July 2, 2010

Tim Thompson, AICP, Planner
City of Sparks Planning Department
1675 E. Prater Way #107
Sparks, Nevada 89434

RE: **Legends Bay Casino**
Special Use Permit (APN 037-030-46, 55, 85)
E2010-027

Dear Mr. Thompson:

This Department has reviewed the referenced proposal with regard to sewage disposal, domestic water supply, solid waste, water quality and air pollution. Approval by this Department is subject to the following conditions:

1. All land disturbing activities during construction phases, such as, but not limited to, grading, excavation, cut and fill, etc., must be done with effective dust control measures consistent with Washoe County District Board of Health Regulations Governing Air Quality Management, Section 040.030. Disturbances greater than 1 acre in size must obtain an approved dust control plan prior to beginning work.
2. Any storm drainage from this site must have pretreatment for petrochemicals and silts.
3. Backflow prevention devices, in accordance with the Uniform Plumbing Code 1997 Edition and NAC 445A.67185 to 67255 inclusive, shall be installed at the water service point of connection and at locations to prevent cross connection between the drinking water system and any potential source of water contamination.
4. Construction plans and equipment specifications for any foodhandling facilities, detailing food storage and preparation areas, shall be submitted to the District Health Department for review and approval prior to the issuance of a building permit. Foodhandling facilities shall comply with requirements stipulated in the Washoe County District Board of Health Regulations Governing Food Establishments and with requirements of the appropriate disposal service.
5. Garbage facilities, dumpsters, and compactors shall have raised washdown pads which drain into a sanitary sewer. Refer to Sections 100.025 and 100.040 of the Washoe County District Board of Health Regulations Governing Food Establishments.
6. Will-Serve letter from the solid waste disposal company must be submitted to the District Health Department with the building permit application. The letter must indicate that the trash bin sites are located in a manner which allows for the proper pickup and disposal of the trash, in accordance with the Washoe County District Board of Health Regulations Governing Solid Waste Management.

1001 EAST NINTH STREET / P.O. BOX 11130; RENO, NEVADA 89520 (775) 328-2434 FAX (775) 328-6176

www.washoecounty.us

WASHOE COUNTY IS AN EQUAL OPPORTUNITY EMPLOYER
PRINTED ON RECYCLED PAPER

July 2, 2010
Legends Bay Casino
Special Use Permit (APN 037-030-46, 55, 85)
E2010-027
Page Two

7. The recreation building plans must be submitted to this Department with a complete swimming pool construction permit application prior to building permit approval.

If you have any questions regarding the foregoing, please call me at 328-2429.

Sincerely,



Douglas L. Coulter, P.E., Senior Registered Engineer
Environmental Health Services

DLC:dc

Cc: DC Graham, Olympia Gaming CRS, LLC
Mike Railey, Rubicon Design Group, LLC

February 23, 2013

SPARKS PLANNING COMMISSION
Case: PCN 12022 Written Comments

I am writing to the Sparks Planning Commission in **support** of the proposed Special Use Permit to allow for a 201 room resort hotel/casino in the NUD (New Urban District-The Legends Planned development) zoning district.

I am a resident of the Sparks Marina and was one of the very first residents to purchase a home in the development many years ago. The 201 room resort hotel/casino is most urgently needed to complete the original Legends proposal. The potential benefits to the City of Sparks concerning this project are enormous. It will revitalize economic development further in Sparks and make Sparks and the Legends a true tourist attraction. This was the goal of the original Star Bonds.

The Marina is the pearl of the City of Sparks. A beautiful resort of this magnitude will only be helpful economically and recreationally to the residents of Sparks and all of Northern Nevada. The developers of the project have consistently met with the homeowners of the Marina and have addressed any and all concerns of the residents and have been very dedicated to making this project something that all residents of the Marina and citizens will be very proud of having in our City of Sparks. In short, I strongly urge the Sparks Planning Commission to approve this Special Use Permit.

Sincerely,

PAUL B. DAVIS, Ph.D.
Professor of Political Science
Nevada System of Higher Education
1133 Harbour Cove Court
Sparks, Nevada 89434
358-5252
davis775@charter.net

Tim Thompson

Sparks City Planning Commission

August 1, 2013

The Legends Planned Development

I suggest that now is the time to construct a sound wall from Sparks Blvd. to McCarron on the north side of I-80. If the casino to be constructed the sound wall will be a valuable asset to the Marina experience

1. If they plan any outside event the sound wall will allow for a quieter and better experience. Scheels has had outside events and the sound of the Interstate and Train traffic makes hearing any announcements difficult and the announce is overwhelming.
2. With additional traffic to the area and more people using the Marina let's make the walking and biking experience better, quieter and more enjoyable.
3. I live here on the Marina and the noise of the highway is a constant complaint from visitors and residence alike.

If we are going to have the Marina a "First Class" recreational area, now is the time to upgrade the surrounding. The sound wall up and down I-80 and I-395 are well designed and an asset to the community. I live here and frequent the "Rail Casino" and their outdoor eating facility and events are a pleasure to attend with considerable more peace and quiet than the "Sparks Marina"

I hope this suggestion is taken seriously and is looking for our commission upgrade our beautiful "Sparks Marina".

Terry McGrath

1145 Harbour Cove Court

Sparks, Nevada 89434

775-843-2200

trmacreno@sbcglobal.net



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

To: Mayor and City Council
From: Janet Stout, Administrative Secretary
Subject: Report of Planning Commission Action
PCN12022
Date: March 22, 2013

RE: PCN12022, OLYMPIA GAMING (SPARKS) LLC, Consideration of and possible action of a Special Use Permit request to allow for a 201 room resort hotel/casino on a site approximately 12.6 acres in size in the NUD (New Urban District – The Legends Planned Development) zoning district generally located at 100 Legends Bay Drive, Sparks, NV.

At the regularly scheduled Planning Commission meeting of March 7, 2013, Senior Planner Tim Thompson, introduced this item and reviewed the information in the staff report.

The Public Hearing was opened.

Mike Railey with Rubicon Design Group, representing the applicant, also introduced DC Graham and Mark Bolduc with Olympia Gaming along with Peter Wilday who is the Project Architect.

At the request of Commissioner Voelz, Mr. Railey addressed the proximity of the hotels and casino need to be located on the same parcel to being approved together.

Don Young, of Sparks, NV, is in favor of this project. However, his one concern is his disagreement with Finding S1 which states *that the conditions of approval will minimize impacts to the adjacent properties*. He is asking to amend Condition 31 to state "prior to ground disturbing activity, rather than vertical construction".

Mr. Railey stated the applicant is willing to make the change to Condition 31 as requested.

At the request of Commissioner Cammarota, DC Graham explained there will be 750 slot machines and 10 table games and a potential poker room in the first phase of this project.

The Public Hearing was closed.

MOTION: Planning Commissioner Voelz moved to approve the Special Use Permit associated with PCN12022, to allow for a 201 room resort hotel/casino, adopting Findings S1 through S6 and the facts supporting these Findings as set forth in this staff report, subject to the Conditions of Approval 1 through 30 as listed in the staff report and Condition 31 to be amended to read "prior to any construction the buffer wall generally located along the western part of the property line shall be completed to the approval of the Administrator".

SECOND: Planning Commissioner Lean.

AYES: Planning Commissioner Voelz, Lean, Sperber, Nowicki, Sanders, Fewins, and Cammarota.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Passed unanimously