



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

To: Mayor and City Council

From: Marilie Smith, Administrative Secretary

Subject: Report of Planning Commission Action

Date: October 8, 2018

RE: PCN18-0005 – Consideration of and possible action, for a site approximately 65 acres in size generally located east of Golden Eagle Regional Park and south of Vista Boulevard, Sparks, NV, of requests for:

- DA18-0004 – A Development Agreement pursuant to NRS 278.0201 between the City of Sparks, Foothills at Wingfield, LLC, and Albert D. Seeno Construction Company;
- MPA18-0001 – An amendment to the Comprehensive Plan to change the land use designation from 6.26 acres of Commercial (C), 15.57 acres of Multi-family Residential (MF24), 18.56 acres of High Density Residential (HDR), 8.12 acres of Open Space (OS), 5 acres of Large Lot Residential (LLR), and 11.4 acres of Mixed Use (MU) to approximately 65 acres of Intermediate Density (IDR), and;
- RZ18-0001 – Rezoning of the site from A5 (Agriculture) to SF6 (Single-Family – 6,000 sq. ft. lots).

Please see the attached excerpt from the August 2, 2018 Planning Commission meeting transcript.

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

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

11 MS. MCCORMICK: Thank you.

12 CHAIRMAN VANDERWELL: Any other comments,
13 questions?

14 Okay. I will -- all in favor?

15 (Commission members said "aye.")

16 CHAIRMAN VANDERWELL: Opposed?

17 COMMISSIONER CAREY: Nay.

18 CHAIRMAN VANDERWELL: Okay. The motion
19 carries.

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

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

1 having it recorded.

2 COMMISSIONER CAREY: Oh, the (indistinct)?

3 CHAIRMAN VANDERWELL: No.

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

7 CHAIRMAN VANDERWELL: Thank you.

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

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

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

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

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

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

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

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

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

25 The applicant is proposing to access via the

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 policies to be met.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9 And then, finally, for rezoning. The site is
10 currently zoned A-5. The applicant is requesting the
11 site be rezoned. All three parcels are currently A-5.
12 The applicant is requesting a rezone to SF6. The SF
13 zoning had fewer permitted uses than the A-5 zoning
14 district, however does allow higher density residential.

15 Finding Z1 requires consistency with the Comp
16 Plan. If the Planning Commission approves the
17 Comprehensive Plan amendment, then this would be in --
18 would be consistent. If the Planning Commission does
19 not approve that, then this would not be consistent and
20 should be remembered when motions are made.

21 Finding Z2 requires consistency with the
22 surrounding land uses. As mentioned in the Comp Plan
23 portion, the surrounding uses are Park, Open Space and
24 large lot residential. Single-Family Residential would
25 be a compatible and complementary use of those uses.

1 And Finding Z3 requires proper notice. Public
2 notice was published in the Reno Gazette-Journal on
3 July 20th. Notice was mailed to all property owners
4 within 2,000 feet. Normal rezoning is 750. But to get
5 to the required minimum of 30 individual property
6 owners, we had to go out to 2,000 feet since most of
7 this is owned by the BLM adjacent to this property.

8 Staff is also recommending the Planning
9 Commission make a recommendation to the City Council of
10 approval of this request.

11 That is the end of my presentation. I'd be
12 happy to answer any questions. The applicant is also
13 here, if you would like to talk to him.

14 CHAIRMAN VANDERWELL: All right. Would the
15 applicant like to come up.

16 MR. MIKE RALEY: Good evening. For the record,
17 Mike Raley with Rubicon Design Group, here representing
18 Discovery Builders. Representatives from Discovery
19 Builders are here with me tonight, along with our
20 project engineer.

21 I think, Ian's staff report is very thorough
22 and he did a very good overview in his presentation.
23 We're simply here to answer any questions you may have.

24 CHAIRMAN VANDERWELL: Okay. Thank you.

25 Any Commissioners have any questions of the

1 applicant?

2 Commissioner Fewins.

3 COMMISSIONER FEWINS: Yeah. Commissioner
4 Fewins. I'd like.

5 In the development agreement that's been -- it
6 was talked about, I was a little bit concerned. Or
7 maybe it's just a statement. East of Golden Eagle
8 Regional Park and then west of this, you're going to
9 have a road. And in the development agreement, there
10 was some going bicycles and pedestrian access to Golden
11 Eagle. And in the development agreement, it says that
12 the master builder shall provide a traffic circulation
13 plan to discourage a (indistinct) regional park. So it
14 gets really busy out there, and then people are probably
15 parking on that road?

16 MR. MIKE RALEY: Right.

17 COMMISSIONER FEWINS: What are you kind of
18 visioning on that?

19 MR. MIKE RALEY: That's something that we'll
20 definitely address on the tentative map. But, I think,
21 we -- you know, there's a variety of ways that we could
22 do that through a final design on the subdivision.
23 We're not quite to that stage yet. But, you know, we
24 can look at ways of incorporating landscaping and
25 (indistinct). I'm aware that we've discouraged people

1 from parking, making it, essentially, inconvenient for
2 them to park there.

3 COMMISSIONER FEWINS: Thank you.

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

6 Okay. Thank you.

7 This is a public hearing. I'll open a public
8 hearing.

9 Do we have any requests to speak on this item?

10 MS. SMITH: I do not, Madam.

11 CHAIRMAN VANDERWELL: Okay. Sir?

12 MR. DEAN O'CONNOR: I don't know if you need
13 this or not.

14 MS. MELBY: Yeah, leave it.

15 MR. DEAN O'CONNOR: Okay.

16 MS. SMITH: Thank you.

17 CHAIRMAN VANDERWELL: And if you'll just state
18 your name and address for the record, please.

19 MR. DEAN O'CONNOR: Sure. It's Dean O'Conner.
20 I live at 4313 Black Hills Drive.

21 I had a few questions. But with when I
22 purchased this house, we looked at multiple homes in the
23 area and chose this house, paid significantly more money
24 simply due to the area, on the south side that was open
25 and the views. So one piece that I've had is that when

1 this new buildings, when the buildings go up, that it's
2 going to significantly reduce the value of my home.

3 And on the other side of that, I'm just really
4 concerned about safety and all the traffic that's out.
5 I have young children that actually go from our house
6 around and over to the park. So I just want to make
7 sure that they would still have access that's safe.

8 And, again, back to the traffic, it's just a
9 pretty big concern, given that the way that they
10 designed it.

11 One question I do have, is this area directly
12 south between Black Hills and the development, that will
13 continue to stay open with the BLM?

14 MR. CRITTENDEN: If you could use the map, sir.

15 MR. DEAN O'CONNER: Certainly. Sorry. This
16 area. That will stay open and it will not be developed?

17 CHAIRMAN VANDERWELL: We'll call staff up.
18 We'll have staff address that question as soon as you're
19 done with your testimony.

20 MR. DEAN O'CONNER: Okay. No problem. Just
21 the point of reduction in value of our home due to the
22 development and the increased traffic.

23 Thank you.

24 CHAIRMAN VANDERWELL: Thank you.

25 Any other requests to speak?

1 Okay. I'll close the public hearing. I'll
2 bring it back to the Commission.

3 Ian, if you could please address his question.

4 MR. CRITTENDEN: Yes. The area that the
5 gentleman requested, that actually is scheduled for
6 future park improvements. And so it would not be
7 developed in terms of housing, but potentially a future
8 flat field is what the -- currently, the Sparks
9 management plan has anticipated for that area. We don't
10 have a timeline on that. We don't have funding lined up
11 for that just yet. But it is the future plan.

12 And that was part of the discussion for the
13 emergency evacuation, or the emergency vehicle access
14 road that kind of wraps around the outside edge of that,
15 is to avoid passing through what would be, hopefully,
16 future programmed park space.

17 MR. DEAN O'CONNER: Thank you.

18 CHAIRMAN VANDERWELL: Thank you.

19 Any Commissioners have any future questions?

20 Okay. I'll entertain a motion.

21 COMMISSIONER FEWINS: Commissioner Fewins.

22 CHAIRMAN VANDERWELL: Commissioner Fewins.

23 Thank you.

24 COMMISSIONER FEWINS: For the development
25 agreement, I would propose the development associated

1 with PCN18-005 is consistent with the Sparks
2 Comprehensive Plan and to forward a recommendation of
3 approval to the City Council.

4 COMMISSIONER CAREY: I'll second the motion.

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

7 Commissioner Carey.

8 COMMISSIONER CAREY: Thank you. I support
9 the -- well, I seconded it. I think that I really like
10 the language in the development agreement with section
11 B, part 4, about the urban interface. I mean this is
12 something to take a look at when we get to the tentative
13 map.

14 The wildfire, obviously, is a huge issue, huge
15 concern in this area. I think, one of the things we
16 should maybe take a look at, we're providing the buffer
17 to Golden Eagle; I think, we should take a look at
18 providing a buffer to the public lands to the east.

19 Another concern, you know, looking at the
20 Carson City BLM Field Office Management Plan for the
21 land, there's some significant uses that are out to the
22 east. And, I think, when we get to the tentative map, I
23 would encourage staff to take a look at restricting
24 access, vehicle and off-road vehicle, to the lands to
25 the east and enforcing that access to the existing

1 access point to the south near the -- you know, near the
2 park.

3 Thank you, Madam Chair.

4 CHAIRMAN VANDERWELL: Any other Commissioners
5 have any comments?

6 Okay. All in favor?

7 (Commission members said "aye.")

8 CHAIRMAN VANDERWELL: Any opposed?

9 Thank you.

10 Yes?

11 COMMISSIONER FEWINS: Madam Chair?

12 CHAIRMAN VANDERWELL: Commissioner Fewins.

13 COMMISSIONER FEWINS: For the Comprehensive
14 Plan land use --

15 MS. MCCORMICK: Madam Chair, I believe a public
16 hearing is next.

17 CHAIRMAN VANDERWELL: Oh, I apologize. See,
18 when you put it all under one, it's hard.

19 This is a public hearing item. I'm going to
20 open the public hearing?

21 Do we have any requests to speak?

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

24 Commissioner Fewins.

25 COMMISSIONER FEWINS: Madam Chair, for the

1 Comprehensive Plan land use amendment request, I move to
2 approve the Comprehensive Plan land use amendment
3 MPA18-001, associated with PCN18-0005, based on findings
4 CP1 through CP4, and the facts supporting these findings
5 as set forth in the staff report.

6 COMMISSIONER BROCK: Commissioner Brock.
7 Second.

8 CHAIRMAN VANDERWELL: Okay. I have a first and
9 a second. Any further discussion?

10 Commissioner Carey.

11 COMMISSIONER CAREY: Thank you. Some comments
12 for the record on the proposed comprehensive land use
13 change.

14 I can recall, from being on the Parks and Rec
15 Commission, when Golden Eagle Park was being designed, I
16 think, the original intent of the land use that were
17 proposed to be changed in the motion, was to be
18 commercial and residential services to provide, to help
19 with Golden Eagle Regional Park. I think that the
20 proposed comprehensive land use change is more
21 consistent with the existing land uses in this area. I
22 think, single-family is more appropriate considering the
23 important land uses of the federal lands to the east.

24 I'll be supporting the motion.

25 CHAIRMAN VANDERWELL: Thank you. Any further

1 discussion?

2 All in favor?

3 (Commission members said "aye.")

4 CHAIRMAN VANDERWELL: Any opposed?

5 Okay. Thank you. Motion carries.

6 Next, I'll open the public hearing for the
7 rezoning.

8 Do we have any requests to speak?

9 MS. SMITH: I don't.

10 CHAIRMAN VANDERWELL: Hearing none, I'll close
11 the public hearing and bring it back to the Commission.

12 Commissioner Fewins, would you like to? thank
13 you.

14 COMMISSIONER FEWINS: This is called Turkey, I
15 think.

16 CHAIRMAN VANDERWELL: Yeah. Just moving it
17 along.

18 COMMISSIONER FEWINS: Madam Chair, Commissioner
19 Fewins.

20 For the zoning request, I move to forward a
21 recommendation of approval to the City Council for the
22 rezoning request RZ18-0001, associated with PCN18-0005,
23 based on findings Z1 through Z3 and the facts supporting
24 these findings as set forth in the staff report.

25 COMMISSIONER BROCK: Commissioner Brock.

1 Second.

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

4 Okay. Hearing none, all in favor?

5 (Commission members said "aye.")

6 CHAIRMAN VANDERWELL: Anyone opposed?

7 Thank you. Motion carries.

8 Next, we'll move along to General Business,
9 PCN18-00032, consideration and possible recommendation
10 of approval of a tentative map.

11 MR. CUMMINS: Thank you, Madam Chair, Planning
12 Commissioners. I'm Jonathan Cummins, Assistant Planner.

13 PCN18-0032 is a tentative map request for a
14 39-lot single-family residential subdivision on a site
15 5.38 acres in size in the SF6, Single-Family
16 Residential, zoning district.

17 The project's located on the southeast corner
18 of Wedekind and El Rancho outlined in cyan, the bluish.

19 The main access to the subdivision would be off
20 of Garfield to the south of the project. There would be
21 emergency access on the northwest corner, which will be
22 gated and used only for emergency vehicles.

23 The piece that's on the southernmost part of
24 the project here is currently an easement on the church
25 property which sits to the west. The applicant's in