



N E V A D A

AGENDA
Regular Meeting
Planning Commission

Wednesday, August 10, 2022 • 5:00 PM

Members

Barry Williams Sr. - Chairman
Cody Wagner - Vice Chair
Jan Hodges - Commissioner
Humayoon Lodhi - Commissioner
Angela Lewis - Commissioner
Shellie Severa - Commissioner
Jenni McCullar - Commissioner

Fernley City Council Chambers, 595 Silver Lace Boulevard, Fernley, NV 89408

Zoom information:

Please click the following link to join the webinar: <https://us02web.zoom.us/j/82966343247>, or one tap mobile: 12532158782, Dial: 669 900 9128, Webinar ID: 829 6634 3247

Public Notice: This agenda has been physically posted in compliance with 241.020 at Fernley City Hall, 595 Silver Lace Blvd. In addition, this agenda has been electronically posted in compliance with NRS 241.020(3) at www.cityoffernley.org and NRS 232.2175 at <https://notice.nv.gov/> To obtain further documentation regarding posting, please contact the City Clerk's Office at (775) 784-9830 or cityclerk@cityoffernley.org

Public Comment: Those wishing to address the Planning Commission may submit public comment through the online public comment form found at <https://www.cityoffernley.org/forms>, or by sending an email to cityclerk@cityoffernley.org. Comments received prior to 4:00 pm the day of the meeting will be provided to the Planning Commission and added to the record but will not be read during the live meeting. Public comments received after 4 pm the day of the meeting will be included in the record but may not reach commissioners before action is taken. Public comment, whether on action items or public comment, is limited to three (3) minutes per person. Unused time may not be reserved by the speaker, nor allocated to another speaker. The public may comment on any matter that is not specifically included on an agenda as an action item or comment on a specific agenda item. Items not included on the agenda cannot be acted upon other than to place them on a future agenda. Additionally, if you wish you can comment in person at the meeting or use the Raise your Hand feature in Zoom (*9 if you are participating via phone).

Accommodations: The Planning Commission and staff will make reasonable efforts to assist and accommodate individuals with disabilities desiring to attend the meeting. Please contact the City Clerk's Office at (775) 784-9830 in advance so that arrangements can be made.

Supporting Material: Staff reports and supporting material for the meeting are available at the City Clerk's Office, and on the City's website at www.cityoffernley.org Pursuant to NRS 241.020(6), supporting material is made available to the general public at the same time it is provided to the Planning Commission.

Order of Business: The presiding officer shall determine the order of the agenda. The Fernley Planning Commission may combine two or more agenda items for consideration; remove an item from the agenda; or delay discussion relating to an item on the agenda at any time. All items are action items unless otherwise noted. Items scheduled to be heard at a specific time will be heard no earlier than the stated time but may be heard later.

1. INTRODUCTORY ITEMS

1.1. Roll Call

1.2. Public Forum

1.3. (For Possible Action) Approval of Agenda

1.4. (For Possible Action) Approval of Minutes

2. GENERAL BUSINESS

2.1. (For possible action) CUP21004 – Extension of Time

Consideration and possible action on an extension of time request to grant a 1-year extension on a Conditional Use Permit request to allow for the construction of a multi-family residential project exceeding 100 units on a C2 (General Commercial) zoned site. The site is approximately 5.1 acres generally located south of Flint Street, east of Arrow Street and north of Fremont Street, Fernley, NV. (APN: 021-271-03)

3. CHAIR AND COMMISSION ITEMS

4. PLANNING DIRECTOR ITEMS

5. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS

6. PUBLIC FORUM

7. ADJOURNMENT

Next Meeting: September 14, 2022 @ 5 PM

**MINUTES OF THE
FERNLEY PLANNING COMMISSION MEETING
JULY 13, 2022**

Planning Commission Vice Chair Wagner called the meeting to order at 5:02 PM.

1. INTRODUCTORY ITEMS

1.1. Roll Call

Present: Planning Commissioner Hodges, Planning Commission Vice-Chair Wagner, Planning Commissioner Lewis, Planning Commissioner Severa via Zoom, Planning Commissioner McCullar, Planning Director Tim Thompson, Assistant Planner Shay League, Community Development Coordinator Alex Lopez Martinez, Deputy City Clerk Brenda Gosser, and Administrative Specialist Bailie Scott.

Absent: Planning Commission Chairman Williams, Commissioner Lodhi.

1.2. Public Forum

Vice Chair Wagner opened a public forum.

No public comments were presented at this time.

1.3. (For Possible Action) Approval of Agenda

Motion: Move to Approve the July 13, 2022 Fernley Planning Commission Agenda.

Action: Approve, **Moved by** Planning Commissioner Jenni McCullar, **Seconded by** Planning Commissioner Jan Hodges. **Vote:** Passed, **Summary:** Yes 5, Absent 2.

Yes: Planning Commissioner Hodges, Planning Commissioner Severa, Planning Commissioner McCullar, Planning Commissioner Lewis, Planning Commission Vice-Chair Wagner, **Absent:** Planning Commission Chairman Williams, and Planning Commissioner Lodhi.

1.4. (For Possible Action) Approval of Minutes

Motion: Move to Approve the June 8, 2022 Fernley Planning Commission Minutes.

Action: Approve, **Moved by** Planning Commissioner Jan Hodges, **Seconded by:** Planning Commissioner Angela Lewis. **Vote:** Passed, **Summary:** Yes 5 Absent 2.

Yes: Planning Commissioner Hodges, Planning Commissioner Severa, Planning Commissioner McCullar, Planning Commissioner Lewis, Planning Commission Vice-Chair Wagner. **Absent:** Planning Commission Chairman Williams and Planning Commissioner Lodhi.

2. PUBLIC HEARINGS

2.1. Public Hearing, ZMA22006 – Zoning Map Amendment

Consideration and possible action on a Zoning Map Amendment request to

change the zoning from SF6 (residential single-family - 6,000 square feet), SF12 (residential single-family - 12,000 square feet), and C1 (neighborhood commercial) to MDR14 (medium density residential - 14 dwelling units per acre) on a site ±31.15 acres in size generally located south of Main Street and west of Miller Lane, Fernley, NV. (APN: 021-041-09)

Assistant Planner, Shay League presented ZMA 22006. See attached PowerPoint.

The Applicant Representative, Derek Kirkland presented ZMA22006 on behalf of the applicant.

Planning Commissioner Hodges stated that the Planning Commission is always concerned about safety.

Planning Commissioners McCullar and Hodges had concerns regarding the density of the project specific to this area.

Vicew-Chair Wagner opened the hearing for public comment.

Fernley resident, Leroy Goodman stated that he is opposed to ZMA22006.

Fernley resident, Brent Kolvet stated that he is opposed to ZMA22006.

Fernley resident, Sheryl Fogerty sent in a public comment stating they are not opposed to ZMA22006.

Fernley resident, Fred Bianchi sent in a public comment stating he is not opposed to ZMA22006, but Miller Ln will need to be re-paved.

Fernley resident, RA Harold sent in a public comment stating she is opposed to ZMA22006.

The Planning Commissioners took a recess from 5:41-5:54 PM.

Motion: Based on information received in written materials, and at the public hearings on this matter, I move to forward a recommendation of denial of the Zoning Map Amendment request associated with ZMA22006 because I have determined the proposed changes are detrimental to the public's health, safety, and general welfare, and am unable to make the following required Zoning Amendment findings for approval: I am unable to make the finding(s) as it relates to Z2 and the surrounding areas. Therefore, I cannot approve the Zoning Map Amendment change as presented. **Action:** Deny, **Moved by** Planning Commissioner Lewis, **Seconded by:** Planning Commissioner Hodges. **Vote:** Passed, **Summary:** Yes 4, No 1, **Yes:** Planning Commissioner Hodges, Planning Commissioner Severa, Planning Commissioner McCullar, Planning Commissioner Lewis, **No:** Planning Commission Vice-Chair Wagner, **Absent:** Planning Commission Chairman Williams and Planning Commissioner Lodhi.

3. CHAIR AND COMMISSION ITEMS

Planning Commissioner Lewis asked when the work on Cottonwood is supposed to start. Planning Director Thompson will get that information to Commissioner Lewis

4. PLANNING DIRECTOR ITEMS

Planning Director Thompson stated that a land use workshop was held at the last City Council meeting. He will send the documents to the Planning Commissioners.

5. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS

There were none.

6. PUBLIC FORUM

Leroy Goodman thanked the Planning Commission for their vote on ZMA 22006.

7. ADJOURNMENT

There being no further business to come before it, the Fernley Planning Commission meeting adjourned at 06:01 PM.

Approved by the Fernley Planning Commission on August 10, 2022, by a vote of:

AYES _____ NAYS: _____ ABSTENTIONS: _____ ABSENT: _____

Planning Commission Chairman Barry Williams

ATTEST:

ZONING MAP AMENDMENT (ZMA22006)

MILLER-MAIN STREET

CONSIDERATION AND POSSIBLE ACTION ON A ZONING MAP AMENDMENT REQUEST TO CHANGE THE ZONING FROM SF6 (RESIDENTIAL SINGLE-FAMILY - 6,000 SQUARE FEET), SF12 (RESIDENTIAL SINGLE-FAMILY - 12,000 SQUARE FEET), AND C1 (NEIGHBORHOOD COMMERCIAL) TO MD14 (MEDIUM DENSITY RESIDENTIAL - 14 DWELLING UNITS PER ACRE) ON A SITE ±31.15 ACRES IN SIZE GENERALLY LOCATED SOUTH OF MAIN STREET AND WEST OF MILLER LANE, FERNLEY, NV. (APN: 021-041-09)



BACKGROUND INFORMATION

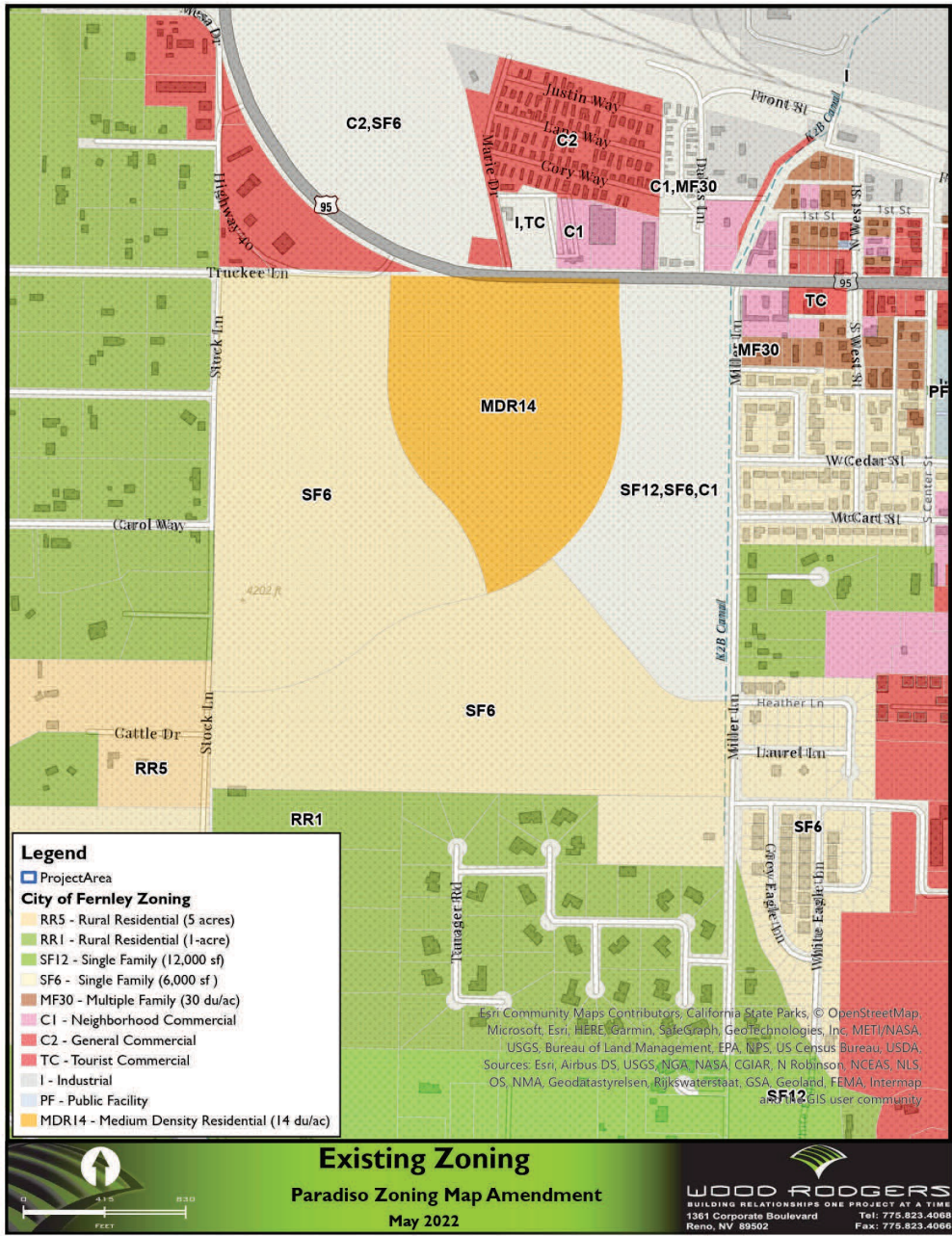
- Directly adjacent to the Red Hawk Ranch development
- This parcel is in the Mixed Residential land use area as defined by the master plan
- Mixed Residential land use is intended to:
 - Provide a mix of housing options and densities
 - Integrate a range of housing product types into projects
 - Occur in areas within walking distance to services and amenities

ANALYSIS

- As part of a preliminary traffic evaluation, Headway Transportation concluded that impacts of the proposed rezoning can be “reasonably mitigated”. The following items may be considered as possible requirements for future development:
 - Make improvements on Miller Lane and Main Street
 - Improve the Main Street/Miller Lane intersection
 - Contribute to the improvement of other local intersections

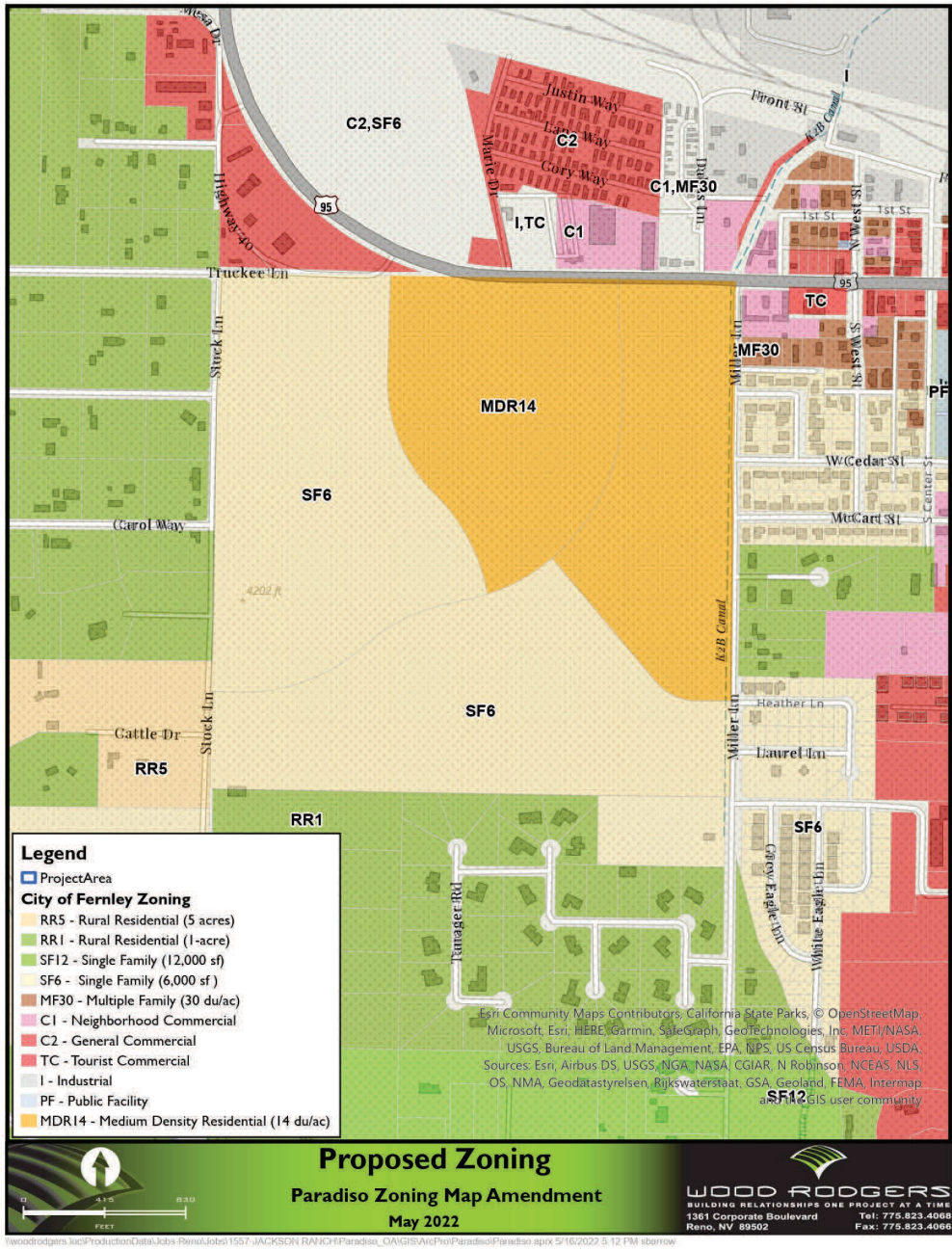
EXISTING ZONING

Prepared by Wood Rodgers and submitted with the Zoning Map Amendment application materials.



PROPOSED ZONING

Prepared by Wood Rodgers and submitted with the Zoning Map Amendment application materials.



ANALYSIS RELATED TO FINDINGS

- The applicant has identified the following community goals and action strategies from the City of Fernley Comprehensive Master Plan as being supported by this project:
 - Population, Housing and Employment 1.2 – Housing that supports sustainable development
 - Land Use 1.1 – Adequate public services and facilities present
 - Land Use 1.2 – In accordance with Comprehensive Master Plan land use category
 - Land Use 1.5 – Promote infill development
- Surrounding uses: Red Hawk Ranch (West and South), Commercial and RV parks (North), Single-family and Commercial (East)
- Staff certifies that public notice was given, and a public hearing will be held

CONCLUSION

- Should the Planning Commission determine that the project, as submitted and conditioned:
 - Is consistent with the existing surrounding land uses
 - Will not have a significant adverse impact on the surrounding uses
 - Promotes the public health, safety, and general welfare
 - Allows the applicable findings to be made

Planning Commission may forward a recommendation of approval to the City Council for the Zoning Map Amendment.

- Should the Planning Commission determine that:
 - Some or all the applicable findings cannot be made
 - The project is not consistent with the existing surrounding uses
 - The project will have a significant adverse impact on the existing uses, and/or
 - The project does not promote the public health, safety, and general welfare

Planning Commission may forward a recommendation of denial to the City Council for the Zoning Map Amendment.

RECOMMENDED MOTION LANGUAGE ZONING MAP AMENDMENT

- **Motion to Approve:**

- “I move to forward a recommendation of approval to the City Council for the Zoning Map Amendment associated with ZMA22006, based on findings Z1 to Z3 and the facts supporting those findings as set forth in the staff report.”

- **Motion to Deny:**

- “Based on information received in written materials, and at the public hearings on this matter, I move to deny the Zoning Map Amendment request associated with ZMA22006 because I have determined the proposed changes are detrimental to the public’s health, safety, and general welfare and am unable to make the following required Zoning Map Amendment findings for approval: I am unable to make the finding(s) _____ as it relates to _____. Therefore, I cannot recommend approving the Zoning Map Amendment.”



CITY OF FERNLEY

PLANNING COMMISSION

AGENDA REPORT

Meeting Date: August 10, 2022

REPORT TO: Planning Commission		
REPORT BY: Tim Thompson, Planning Director		
REVIEWED BY:		

FINANCIAL IMPACT: ☐ YES ☒ NO	CURRENTLY BUDGETED: ☐ YES ☐ NO ☒ N/A	FUND/ACCOUNT:
---	--	----------------------

ACTION REQUESTED:	☐ Consent ☒ Motion ☐ Presentation ☐ Receive/File	☐ Ordinance ☐ Resolution
--------------------------	--	---

AGENDA ITEM: (For possible action) CUP21004 – Extension of Time

Consideration and possible action on an extension of time request to grant a 1-year extension on a Conditional Use Permit request to allow for the construction of a multi-family residential project exceeding 100 units on a C2 (General Commercial) zoned site. The site is approximately 5.1 acres generally located south of Flint Street, east of Arrow Street and north of Fremont Street, Fernley, NV. (APN: 021-271-03)

AGENDA ITEM BRIEF: The applicant is requesting a 1-year extension for a Conditional Use Permit (CUP21004) for the 1200 Fremont Apartment project, which was originally approved by the Planning Commission on September 8, 2021. The approval allows for the construction of a multi-family residential development of 114 units in the C2 (General Commercial) zoning district on a site approximately 5.14 acres in size located at 1200 Fremont Street, Fernley, Nevada. (APNs: 021-271-03)

RECOMMENDED MOTION:

Motion to Approve:

"I move to approve a 1-year extension of the Conditional Use Permit associated with CUP21004 to extend the expiration date to September 8, 2023, and no additional extensions shall be granted."

Motion to Deny:

"I move to deny an extension of time for the Conditional Use Permit associated with CUP21004."

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, or 278B.

See Attached Report for Background/Analysis/Alternatives.

PROJECT SUMMARY

CASE NUMBER(S):	• CUP21004
REQUESTED ACTION(S):	• Extension of Time
PROJECT DESCRIPTION:	• The applicant is seeking a 1-year extension of time to construct a multi-family development of 114 units in the C2 (General Commercial) zoning district on a site approximately 5.14 acres in size located at 1200 Fremont Street, Fernley, Nevada. The project site is in a mixed-use area with single family homes, commercial, retail, and multi-family within the surrounding vicinity.
PROPERTY OWNER(s):	• Relief Springs LLC Series B
APPLICANT:	• Relief Springs LLC Series B
LOCATION:	• 1200 Fremont Street Fernley, NV • APN: 021-271-03
SITE SIZE:	• ± 5.14 acres
EXISTING ZONING:	• General Commercial (C2)
EXISTING LAND USE:	• Multi-Family Residential (MFR)
WARD INFORMATION:	• Ward 1 – Councilmember Lacy

POLICY REFERENCE

<i>Nevada Statutes:</i>	<i>NRS 278</i>
<i>Fernley Municipal Code:</i>	<i>Title 32</i>
<i>Policies & Procedure Manual:</i>	<i>N/A</i>
<i>Community Assessment:</i>	<i>N/A</i>
<i>City of Fernley Development Code:</i>	<i>Chapter 32.03 – Administration</i> <i>Chapter 32.06 – Zoning Districts</i> <i>Chapter 32.09 – Development Standards</i> <i>Chapter 32.12 – Adequate Public Facilities</i>

BACKGROUND

On September 8, 2021, the Planning Commission approved a Conditional Use Permit request to allow for the construction of a multi-family residential project exceeding 100 units on a C2 (General Commercial) zoned site. The site is approximately 5.1 acres generally located south of Flint Street, east of Arrow Street and north of Fremont Street, Fernley, NV. (APN: 021-271-03)

ANALYSIS

The 1200 Fremont Apartment project was approved with a series of Conditions, one of which pertained to the expiration date:

'THE CONDITIONAL USE PERMIT SHALL EXPIRE WITHIN ONE (1) YEAR OF THE DATE OF 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 CONDITIONAL USE PERMIT APPROVAL.'

The applicant is requesting that the Planning Commission grant a one (1) – year extension for this project. The applicant continues to work diligently to finalize plans for the project and has had to work extensively with the Federal Government for this project, due to the presence of TCID (Truckee Carson Irrigation District) and BOR (Bureau of Reclamation) easements on the property. Civil Improvement Plans are also in the process of being submitted, and a Grading Permit application has been received for the project site. The extension would provide the applicant some additional time to ensure that the project details, as well as the project's Conditions of Approval can be adequately addressed. Should an extension be granted, the project approval expiration date will be extended to May 12th, 2023, and no additional extensions shall be granted.

ATTACHMENTS

1. Applicant's written Extension request
2. City of Fernley Planning Commission Staff Report from September 8, 2021



June 8, 2022

Sent Via Email

Tim Thompson, AICP
Planning Director
City of Fernley
595 Silver lace Blvd
Fernley, NV 89408

RE: 1200 Fremont Street Apartments Conditional Use Permit (CUP21004)

Dear Tim,

On behalf of the Applicant, Relief Springs LLC Series B, Wood Rodgers would like to request a one (1) year extension of the approved Conditional Use Permit (CUP21004) for the 1200 Fremont Street Apartment Project (Project). The Project and CUP were approved by the City of Fernley Planning Commission on September 8, 2021 subject to the conditions of approval. Condition #2 provides an expiration date of one (1) year of the date of approval and allows for a one (1) year extension if requested prior to the expiration date. Per Condition #2 the CUP would be set to expire September 8, 2022.

The Applicant has been diligently pursuing the project and has been in negotiation with a buyer, now under contract, to purchase the property and build the project. Permits have not been submitted to date as the Applicant and potential buyer have been working out contract terms as well as water rights for the project. Now that the negotiations and water rights have been worked out for the most part it is assumed that the project will be moving forward over the next few months. Since there is only three months remaining on the approved CUP, the Applicant and potential buyer are requesting a one-year extension now to ensure the CUP does not expire prior to final design moving forward on the project.

It is anticipated that a grading permit for the project will be submitted around the October/November 2022 time frame, which would be after the CUP expiration date of September 8, 2022. Please consider this letter the Applicant's formal request pursuant to CUP21004 Condition #2 to extend the CUP by one year to September 8, 2023. If you should have any questions please do not hesitate to contact me at 775-771-0066, or via email at dkirkland@woodrogers.com.

Thanks!

Derek Kirkland, AICP
Senior Planner
Wood Rodgers Inc.

EC:
Todd Pardula, Applicant: pardula@hotmail.com



CITY OF FERNLEY

PLANNING COMMISSION

AGENDA REPORT

Meeting Date: September 8, 2021

REPORT TO: Planning Commission		
REPORT BY: Brian Nava, Assistant Planner		
REVIEWED BY: Tim Thompson, Planning Director		
FINANCIAL IMPACT: ☐ YES ☒ NO	CURRENTLY BUDGETED: ☐ YES ☐ NO ☒ N/A	FUND/ACCOUNT:
ACTION REQUESTED:	☐ Consent ☒ Motion ☐ Presentation ☐ Receive/File	☐ Ordinance ☐ Resolution
AGENDA ITEM: Public Hearing, Conditional Use Permit – CUP21004 (FOR POSSIBLE ACTION) Consideration and possible action on a Conditional Use Permit request to allow for the construction of a multi-family residential project exceeding 100 units on a C2 (General Commercial) zoned site. The site is approximately 5.1 acres generally located south of Flint Street, east of Arrow Street and north of Fremont Street, Fernley, NV. (APN: 021-271-03)		
AGENDA ITEM BRIEF: The applicant is requesting a Conditional Use Permit to allow for the construction of a multi-family development of 114 units in the General Commercial (C2) zoning district on a site approximately 5.14 acres in size located at 1200 Fremont Street, Fernley, Nevada. (APNs: 021-271-03)		
Motion to Approve: "I move to approve the Conditional Use Permit associated with CUP21004, adopting Finding CU1 through CU6 and the facts supporting these Findings as set forth in the staff report and subject to the Conditions of Approval 1 through 36 as listed in the staff report."		
Alternatives: The Planning Commission may choose to deny the application based on information received in written materials and at the public hearings on this matter. The Planning Commission's inability to make any Finding(s) should be explicitly described.		
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, or 278B.		

See Attached Report for Background/Analysis/Alternatives.

PROJECT SUMMARY

CASE NUMBER(S):	• CUP21004
REQUESTED ACTION(S):	• Conditional Use Permit
PROJECT DESCRIPTION:	• Relief Springs LLC Series B proposes to construct a multi-family development of 114 units in the General Commercial (C2) zoning district on a site approximately 5.14 acres in size located at 1200 Fremont Street, Fernley, Nevada. The project site is in a mixed-use area with single family homes, commercial, retail, and multi-family within the surrounding vicinity.
PROPERTY OWNER(s):	• Relief Springs LLC Series B
APPLICANT:	• Relief Springs LLC Series B
LOCATION:	• 1200 Fremont Street Fernley, NV • APN: 021-271-03
SITE SIZE:	• ± 5.14 acres
EXISTING ZONING:	• General Commercial (C2)
EXISTING LAND USE:	• Multi-Family Residential (MFR)
WARD INFORMATION:	• Ward 1 – Raymond Lacy

***A PUBLIC HEARING IS REQUIRED**

POLICY REFERENCE

<i>Nevada Statutes:</i>	<i>NRS 278A</i>
<i>Fernley Municipal Code:</i>	<i>Title 32</i>
<i>Policies & Procedure Manual:</i>	<i>N/A</i>
<i>Community Assessment:</i>	<i>N/A</i>
<i>City of Fernley Development Code:</i>	<i>Chapter 32.03 – Administration</i> <i>Chapter 32.06 – Zoning Districts</i> <i>Chapter 32.09 – Development Standards</i> <i>Chapter 32.12 – Adequate Public Facilities</i>

BACKGROUND

The parcel of land proposed for development by Relief Springs LLC Series B is currently zoned C2 (General Commercial). The site is located on the north side of Fremont Street, west of Highway 95A, comprised of one parcel totaling approximately 5.14 acres and is surrounded by development including commercial and retail with future multi-family to the south. The project site's land use designation is Multi-Family Residential (MFR). Single family homes, commercial, retail, and multi-family uses are within proximity to the site. The property was acquired by Relief Springs LLC Series B on 29 August 2016.

ANALYSIS

This applicant is seeking approval for a Conditional Use Permit to allow for the construction of five apartments buildings with a mix of one and two-bedroom units totaling 114 units. The mix of the units includes 42 (37%) one-bedroom units and 72 (63%) two-bedroom units. The buildings are proposed to be three stories and have a mix of garages and traditional surface parking. Parking will be addressed later in the report. The one-story clubhouse and other outdoor amenities will also be included as part of this request.

The current C2 (General Commercial) zoning district permits multi-family development with the approval of a Conditional Use Permit. The purpose of the Conditional Use Permit is to promote *"the public health, safety and general welfare by providing for special safeguards in the location and design of certain uses in certain zoning districts."* A Conditional Use Permit is a discretionary permit requiring a decision-making body to exercise judgment prior to its approval, conditional approval, or denial. The process encourages public review and evaluation of a proposed use's operating characteristics and/or site development features and is intended to ensure that proposed conditional uses will not have a significant adverse impact on surrounding uses or the community-at-large.

The project includes approximately 0.80 acres (15%) of landscaped common area with outdoor amenities throughout the site. A clubhouse will provide a clubroom for social gatherings and events, an indoor fitness room, and a leasing office. An outdoor pool will also be located at the clubhouse. Other amenities include decorative hardscapes and drought tolerant plants and trees. The project includes approximately 92 trees. Landscaping, which includes trees and shrubs, are located on the edges of the property meeting landscaping requirements and providing a buffer between existing residential uses and the new project.

The project is proposed to be fenced and gated with a maximum six-foot fence/wall. A solid fence/wall will be proposed adjacent to existing residences with open view fencing along the frontage of the property where appropriate.

Parking will include a mix of garage spaces and surface parking totaling 228 parking spaces. The parking spaces breakdown is as follows: 15 single car garages (dedicated to specific units), 15 tandem parking stalls in front of each garage (dedicated to specific units), and 198 surface parking stalls (a minimum of 1 space per unit will be dedicated to each unit with the remaining spaces provided on a first come first serve basis for both residents and guest parking). The City of Fernley Zoning Code has a parking calculation specific to multi-family buildings that would require a total of 236 spaces based on the proposed project.

The applicant is seeking approval for an alternative parking plan. The development code allows the administrator to approve an alternative parking plan with unique parking space requirements for a project

when any reduction in parking requirements from that provided in this section is supported by an analytical study (which study may be national in scope and need not be site specific) by the Urban Land Institute, American Planning Association, Institute of Transportation Engineers, or any other analytical study approved by the administrator.

The amount of parking required by the City's code is slightly higher than other sources including references to the Institute of Transportation Engineers (ITE) and the American Planning Association (APA) parking calculations which require a lower amount of parking. As such and as part of this Conditional Use Permit, the applicant is requesting a reduction in parking to 228 spaces. This would be a 3.5% reduction compared to the City of Fernley requirements. Below is the table that is included in a Parking Justification Letter that has been submitted as part of the application in Section 4.

Source	Use considered	Parking Standard	Project Comparison (114 units)
City of Fernley	Multi-family building $\geq$ 100 units	1.5 per 1-bedroom/studio units, 2 per unit for 2-bedroom and up, plus 0.25 guest spaces per dwelling unit	236 spaces (2.07 spaces per unit)
ITE*	Apartment (221) – Suburban Sites	Average Peak Period = 1.23 per unit, 85 th Percentile = 1.94 per unit	221 spaces (85 th percentile)
APA*	Dwelling, Apartment and Dwelling, Multi-Family	1.5 per unit - 2 per unit (populations similar to Fernley)	171 - 228 spaces
Proposed Project	Multi-family (114 units)	2 spaces per unit	228 spaces

*Note: ITE and APA numbers are overall project ratios inclusive of both resident and guest parking.

Access to the project site is provided via Fremont Street. The site plan includes two (2) gated access driveways. The western driveway will be the primary access while the eastern access will be more restricted. The applicant has aligned the primary access driveway with the main access to the apartment project opposite the project site. As part of this request, a Traffic Impact Study was provided. The study concluded the project will have little to no impact on the surrounding road network, considering other approved developments in the vicinity. The project is anticipated to generate approximately 834 daily trips, 52 AM peak hour trips, and 64 PM peak hour trips. Improvements to Fremont Street are anticipated to occur as a result of other development in the area. However, the applicant has been conditioned to construct any roadway or utility improvement that are necessary to serve the development in accordance with §32.12 (Adequate Public Facilities) of the development code. Improvements include the construction of a full pavement width for a collector street (60' right-of-way) along the proposed project street frontage and striping improvements for reconfigured turn lanes at the intersection of Fremont Street and U.S. Highway 95A. The improvements will address the minor mitigation measures that were identified in the Traffic Impact Study.

Sewer and water discoveries were obtained by the applicant prior to design of this project to determine the proposed demand and locations of all known utilities. An existing 8" water main is located within Fremont Street. The anticipated water demand is approximately 57,000 gallons per day, with a demand of 40 gallons per minute. An 18" sewer main is located within Fremont Street, flowing from west to east. The proposed 8" sewer will connect to the existing sewer utilities and has an anticipated peak flow of 85,500 gallons per day. On site storm drain facilities are proposed to be captured from the property and

conveyed to on-site retention facilities. The retention ponds are located along Fremont Street and the site is generally proposed to slope north to south. NV Energy has existing facilities adjacent to the project site and will provide electrical service to this area.

The area along the Fremont Street frontage is also within an easement in favor of the Truckee Carson Irrigation District (T.C.I.D.) for the lateral associated with the Newlands Project.

A monument sign is proposed, stating the name of the development, located along Fremont Street to the west of the main entrance as identified in the site plan. Any proposed signage shall be in conformance with §32.10 of the development code. The height will not exceed six feet and materials will be similar to the colors and architecture proposed in the application. Lighting will consist of indirect, internal, or halo illumination.

Should the Planning Commission determine the project, as submitted and conditioned, is consistent with the existing surrounding land uses, will not have a significant adverse impact on the existing surrounding uses, promotes the public health, safety, and general welfare, and can make the applicable Findings, the Planning Commission can approve the item with the attached conditions of approval.

If the Planning Commission cannot make some or all of the applicable Findings and determines the project is not consistent with the existing surrounding uses, will have a significant adverse impact on the existing uses, and/or does not promote the public health, safety and general welfare, the Planning Commission could deny the application. The motion to deny should be based on information received in written materials and at the public hearings on this matter and the Planning Commission's inability to make any Finding(s) should be explicitly described.

FINDINGS

CU1. The proposal, as submitted and conditioned, is in compliance with the Comprehensive Master Plan.

Relationship to the Master Plan

1. Multi-Family Residential (MFR)

The proposed development is located within an area designated as Multi-Family Residential (MFR) in the city's Comprehensive Master Plan. The description of the Multi-Family Residential land use states the equivalent zoning districts are MF21 (21 dwelling units per acre maximum) and MF30 (30 dwelling units per acre maximum). Per the Comprehensive Master Plan document, Multi-Family Residential focuses on multi-story living, smaller multifamily buildings, and higher density single family attached multiplex units. Other uses such as Triplex, townhomes, condos, and accessory uses may also be permitted. Planned Development (PD) zoning may be applied to the area designated Commercial for entitlement and construction.

The Comprehensive Master Plan goes on to state that Multi-Family Residential is intended to provide residential opportunities primarily in the urban core areas and are typically located near transportation corridors, parks, and school sites. Residential uses shall be buffered from adjacent roadways and should

integrate convenient pedestrian access when located adjacent to commercial uses. Community amenities should be provided within each development. Direct access from arterials may be allowed with special review and municipal services are required.

2. The Land Use Plan Goals and Action Strategies in the 2018 Comprehensive Master Plan that are relevant to this proposal include:

Population, Housing & Employment

HP.1.1 Enhance Fernley's vitality as a community by providing a variety of housing types, density and costs that accommodate the needs, desires and financial abilities of the current and future households.

- HP.1.1.4 Encourage the efficient use of land and existing infrastructure by focusing on achieving good design in new housing or redeveloped housing on either vacant land, infill parcels and/or under-developed parcels.

Land Use

LU.1.1 Encourage and plan for new development in areas where adequate public services and facilities can be provided efficiently.

- LU.1.1.1 Require new development to provide its proportionate share of improvements to avoid a degradation of services for existing residents. This requirement will be applied regardless of project size in order to avoid incremental erosion of services and facilities.
- LU.1.1.2 Encourage development of vacant or underutilized lands within the community core where adequate infrastructure and facilities currently exists.
- LU.1.1.3 Require new development to provide certified, stamped studies demonstrating the impact proposed development will have on existing infrastructure and to provide improvements and/or funding in lieu of improvements in proportion to the impacts of the proposed projects on the city's roadway, sewer and water systems.

LU.1.4 Ensure existing and future land uses are compatible.

- LU.1.4.2 Projects shall be evaluated with the intent to promote land use compatibility; community design measures can increase compatibility among adjoining land uses.
- LU.1.4.5 Require development plans to address conditions unique to the developing area and minimize impacts to adjacent properties.
- LU.1.4.6 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.

LU.1.5 Promote infill development.

- LU.1.5.1 Encourage the intensification of land use in the existing community core.

LU.1.12 It is the intent of the City of Fernley to provide timely, orderly, and efficient arrangement of adequate public facilities and infrastructure that support existing and planned land use patterns and densities.

LU.1.12.1 Subdivision or intensification of land without adequate public facilities available to serve the new development as it occurs shall not be allowed.

Other Goals and Action strategies which may be relevant to this project are, HP.1.2, HP1.2.1, HP1.2.2, HP.1.3, HP.1.3.1, HP.1.3.2, HP.1.4, HP.1.4.1, C.1.2, C.1.2.1, C.1.3, C.1.3.8, LU.1.2, LU.1.2.1, T.1.1, T.1.1.1, T.1.1.5, T.1.1.6, T.1.2, T.1.2.2, T.1.3, T.1.3.2, T.1.3.5, PSF.1.1, PSF1.1.3, PSF.1.1.4, PSF.1.2, PSF.2.1, PSF.2.1.1, PSF.2.1.2, PSF.2.1.3, PSF.2.1.6, PSF.3.3, PSF.3.3.1, and PSF.3.3.2.

Although the C2 zoning is not an equivalent zoning for parcels with a Master Plan land use of Multi-Family Residential (MFR), the C2 zoning does allow multi-family residential developments by discretionary entitlement (Conditional Use Permit). Because the proposed project includes more than 100 multi-family units, a Conditional Use Permit is required in any zoning district the use is permitted. The proposed multi-family project is consistent with the underlying Multi-Family Residential land use. The proposed project is intended to increase housing options within Fernley. The design of the proposed project is sensitive to the surrounding area, following all required setbacks and including landscaping surrounding the parcel to mitigate impacts to adjacent residents. The site is designed to be consistent with the current/future developments and helps the City of Fernley meet the housing needs identified in the 2018 City of Fernley Master Plan.

CU2. The application, as submitted and conditioned, is compatible with the existing or permitted uses of adjacent properties.

SURROUNDING LAND USES & ZONING

North:	Single Family 6,000 sq. ft. minimum	SF6
East:	General Commercial	C2
South:	Multiple Family 30 du/ac max	MF30
	General Commercial	C2
West:	Multiple Family 30 du/ac max	MF30

The proposed multifamily project is permitted within the C2 zoning designation with an approved Conditional Use Permit. The design of the project is sensitive to the surrounding area, following all required setbacks and including landscaping surrounding the parcel to mitigate impacts to adjacent residents. There is an existing parcel along the western and northern boundaries that will act as an additional buffer for the existing single-family residential located to the north and west. This parcel is encumbered by an easement in favor of the United States Bureau of Reclamation for the Fernley Drain No. 1. For these reasons, staff can make Finding CU2.

CU3. The potential impairment of natural resources and the total population which the available natural resources will support without unreasonable impairment has been considered.

This is an infill development within an area with existing infrastructure and services. Natural resources are not anticipated to be affected by this development. As such, the potential impairment of natural resources and the total population which the available natural resources will support without unreasonable impairment has been considered

CU4. The availability of and need for affordable housing in the community, including affordable housing that is accessible to persons with disabilities has been considered.

One of the important community principles that guided the 2018 City of Fernley Comprehensive Master Plan update was to diversify Fernley's housing types and provide more affordable housing options to the community and includes amenities to accommodate persons with disabilities. The proposed project satisfies this Finding because it will

CU5. The application, as submitted and conditioned, will address identified impacts.

The project as conditioned will ensure adequate public facilities are provided in timely, orderly, and efficient manner to support the development. All sewer, water, drainage, and transportation facilities shall be reviewed and approved prior to the approval building permit.

Traffic

According to the traffic study conducted this development will not have a major impact on the major ingresses or egresses located around the site.

Sewer

In accordance with the master plan all Industrial developments are required to connect to the city's sewer system.

Design Standards

Prior to the issuance of any building permit for the project, the applicant must demonstrate the project complies with the development standard listed in Section 32.09 of the Fernley Municipal Code.

CU6. Public notice was given, and a public hearing held per the requirements of the Development Code and Nevada Revised Statutes.

Public notice was given, a public hearing was scheduled and The Planning Commission meeting functions as public hearings for this matter as required in the City's Municipal Code and Nevada Revised Statutes.

ATTACHMENTS

1. Conditions of Approval
2. Vicinity Map
3. Site, Grading, Utility, & Landscaping Plans
4. Building Elevations and Floor Plans
5. Parking Justification Letter