

**MINUTES OF THE
FERNLEY PLANNING COMMISSION MEETING
JUNE 8, 2022**

Planning Commission Chair Williams called the meeting to order at 5:00 PM

1. INTRODUCTORY ITEMS

1.1. Roll Call

Present: Planning Commission Chairman Williams, Planning Commissioner McCullar, Planning Commissioner Hodges, Planning Commissioner Lodhi, Planning Commission Vice-Chair Wagner, Planning Commissioner Severa via Zoom, Planning Director Tim Thompson, Assistant Planner Shay League, City Attorney Brandi Jensen via Zoom, Development Services Coordinator Alex Lopez Martinez, Deputy City Clerk Brenda Gosser, and Administrative Assistant Bailie Scott.
Absent: Angela Lewis.

1.2. Public Forum

Planning Commission Chair Williams opened up a public forum.
No comments from the public were presented at that time.

1.3. (For Possible Action) Approval of Agenda

Motion: MOVE TO APPROVE THE JUNE 8, 2022 FERNLEY PLANNING COMMISSION AGENDA. **Action:** Approve. **Moved by:** Planning Commission Vice-Chair Wagner, **Seconded by:** Planning Commissioner Lodhi. **Vote:** Passed, **Summary:** Yes 6, Absent 1. **Yes:** Planning Commission Chairman Williams, Planning Commissioner Hodges, Planning Commissioner Severa, Planning Commissioner McCullar, Planning Commission Vice-Chair Wagner, Commissioner Lodhi. **Absent:** Planning Commissioner Lewis.

1.4. (For Possible Action) Approval of Minutes

Motion: APPROVE THE MAY 11, 2022 PLANNING COMMISSION MEETING MINUTES. **Action:** Approve. **Moved by:** Planning Commission Vice-Chair Cody Wagner, **Seconded by:** Planning Commissioner McCullar. **Vote:** Passed, **Summary:** Yes 6, Absent 1. **Yes:** Planning Commission Chairman Williams, Planning Commissioner Hodges, Planning Commissioner Severa, Planning Commissioner McCullar, Planning Commission Vice-Chair Wagner, Planning Commissioner Lodhi. **Absent:** Planning Commissioner Lewis.

2. PUBLIC HEARINGS

2.1. (For possible action) Public Hearing, CUP22002 – Conditional Use Permit

Consideration and possible action on a Conditional Use Permit request to allow for the establishment of a child care facility center in an existing building within the Meadows at Inglewood development, located in the C2 (General Commercial) zoning district. The project site is located at 1030 Inglewood Drive, Building H, on a 7.47-acre parcel of land (APN: 020-341-11).

Assistant Planner Shay League presented the project to the Planning Commission. See attached presentation.

Derek Wilson, applicant provided a summary of the project.

Motion: APPROVE THE CONDITIONAL USE PERMIT ASSOCIATED WITH CUP22002, ADOPTING FINDINGS 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 14 AS LISTED IN THE STAFF REPORT. **Action:** Approve **Moved by** Planning Commission Vice-Chair Wagner, **Seconded by:** Commissioner Lodhi. **Vote:** Passed, **Summary:** Yes 6, Absent 1. **Yes:** Planning Commission Chairman Williams, Commissioner Hodges, Commissioner Severa, Commissioner McCullar, Planning Commission Vice-Chair Wagner, Commissioner Lodhi. **Absent:** Commissioner Lewis.

2.2. (For possible action) Public Hearing, ANX22001 – Annexation

Consideration and possible action on an annexation request to annex approximately 685.51 acres into the City of Fernley, generally located southeast of Interstate 80, east of Nevada Pacific Parkway, and west of the Fernley Wildlife Management Area (APN: 021-201-01).

Upon annexation, the zoning shall convert from the Lyon County zoning designation of M-1 (General Industrial) to a City of Fernley zoning designation of I (Industrial).

Recess 5:31 PM – 5:40 PM

Assistant Planner Shay League provided an overview of ANX22001. See attached map.

Motion: FORWARD A RECOMMENDATION OF APPROVAL TO CITY COUNCIL FOR AN ANNEXATION REQUEST, ASSOCIATED WITH ANX22001, TO ANNEX APPROXIMATELY 685.51 ACRES INTO THE CITY OF FERNLEY. I FURTHER MOVE TO RECOMMEND TO CITY COUNCIL THAT UPON ANNEXATION, THE ZONING DESIGNATION IS CONVERTED FROM LYON COUNTY'S M-1 (GENERAL INDUSTRIAL) TO CITY OF FERNLEY'S I (INDUSTRIAL) AND HENCEFORTH ADOPT FINDINGS AX1 THROUGH AX4 AND THE FACTS SUPPORTING THESE FINDINGS AS SET FORTH IN THE STAFF REPORT. **Action:** Approve **Moved by:** Planning Commission Vice-Chair Wagner, **Seconded by:** Planning Commissioner Hodges. **Vote:** Passed, **Summary:** Yes 6, Absent 1. **Yes:** Planning Commission Chairman Williams, Planning Commissioner Hodges, Planning Commissioner Severa, Planning Commissioner McCullar, Planning Commission Vice-Chair Wagner, Planning Commissioner Lodhi. **Absent:** Planning Commissioner Lewis.

2.3. (For possible action) Public Hearing – MPA22002 & ZMA22005

Consideration and possible action on a Master Plan Amendment and Zoning Map Amendment request from Mark IV Capital to change the land use designation of a single parcel of land (APN: 021-211-02) from C (Commercial) to I (Industrial), and to change the zoning of two parcels of land (APN's 021-211-02 & 021-211-03) from RR1 (Rural Residential, 1-acre minimum lot size) to I (Industrial).

- 1. Consideration & possible action on Resolution 22-015, A Master Plan Amendment Request to change the land use designation of parcel APN: 021-211-02 from Commercial to Industrial.**

2. Consideration and possible action on a Zoning Map Amendment request to change the zoning of two parcels of land (APN's: 021-211-02 & 021-211-03) from RR1 (Rural Residential, 1-acre minimum lot size) to I (Industrial).

Assistant Planner Shay League provided a presentation to the Planning Commission on this project. See attached presentation.

Motion: APPROVE TO ADOPT RESOLUTION 22-015 AND FORWARD A REQUEST OF CERTIFICATION TO THE CITY COUNCIL FOR THE COMPREHENSIVE MASTER PLAN AMENDMENT ASSOCIATED WITH MPA22002, BASED ON FINDINGS MP1 TO MP3 AND THE FACTS SUPPORTING THOSE FINDINGS AS SET FORTH IN THE STAFF REPORT. **Action:** Approve **Moved by:** Planning Commissioner McCullar, **Seconded by:** Planning Commissioner Lodhi. **Vote:** Passed, **Summary:** Yes 6, Absent 1. **Yes:** Planning Commission Chairman Williams, Planning Commissioner Hodges, Planning Commissioner Severa, Planning Commissioner McCullar, Planning Commission Vice-Chair Wagner, Planning Commissioner Lodhi. **Absent:** Planning Commissioner Lewis.

Motion: APPROVE TO FORWARD A RECOMMENDATION OF APPROVAL TO THE CITY COUNCIL FOR THE ZONING MAP AMENDMENT ASSOCIATED WITH ZMA22005, BASED ON FINDINGS Z1 TO Z3 AND THE FACTS SUPPORTING THOSE FINDINGS AS SET FORTH IN THE STAFF REPORT. **Action:** Approve **Moved by:** Planning Commission Vice-Chair Wagner, **Seconded by:** Planning Commissioner McCullar. **Vote:** Passed, **Summary:** Yes 6 Absent 1. **Yes:** Planning Commission Chairman Williams, Planning Commissioner Hodges, Planning Commissioner Severa, Planning Commissioner McCullar, Planning Commission Vice-Chair Wagner, Planning Commissioner Lodhi. **Absent:** Planning Commissioner Lewis.

3. CHAIR AND COMMISSION ITEMS

Planning Commission Vice Chair Wagner stated that he would like to publicly thank Junie Estrada, FHS welding teacher, for him and his students fabricating 8-10 benches for the Community Center. Planning Commissioner Wagner also thanked him for coaching the state champion softball team.

4. PLANNING DIRECTOR ITEMS

Planning Director Tim Thompson did not have any items at that time.

5. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS

There were no items submitted for a future agenda.

6. PUBLIC FORUM

Planning Commission Chair Williams opened up a public forum. No public comments were provided at that time.

7. ADJOURNMENT

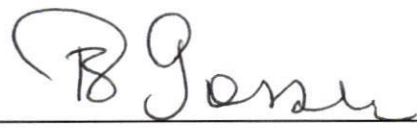
There being no further business to come before it, the Fernley Planning Commission meeting adjourned at 05:58 PM.

Approved by the Fernley Planning Commission on July 13, 2022, by a vote of:

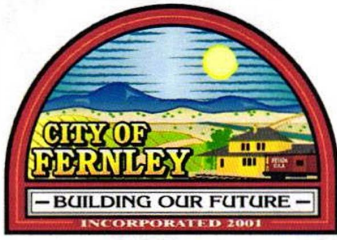
AYES 5 NAYS: 0 ABSTENTIONS: 0 ABSENT: 2



Vice Chairman Cody Wagner



ATTEST:



Planning Department

Permits
Planning
Development Review
Sustainability

NOTICE OF PUBLIC HEARING

AGENDA ITEM: Zoning Map Amendment (ZMA22006)

Consideration and possible action on a Zoning Map Amendment request from Wood Rogers, Inc. to change the zoning of ±31.15-acres of vacant land generally located south of Dallas Lane and west of Miller Lane at APN: 021-041-09 from a mixed zoning of SF6 (residential single-family - 6,000 square feet), SF12 (residential single-family - 12,000 square feet), and C1 (neighborhood commercial) to MDR14 (residential medium density residential - 14 dwelling units per acre) as part of a project with the working title Miller/Main Street.

Dear Neighbor:

An application for the above-referenced project is on file at the City of Fernley Planning Department located at 595 Silver Lace Blvd., Fernley, Nevada, and may be reviewed during regular office hours (8:00 a.m. to 5:00 p.m.), Monday through Friday, except federal holidays. The staff report for these projects will be available for review at the City of Fernley Planning Department prior to the meeting.

The scheduled public hearing dates are as follows:

PLANNING COMMISSION

Date: **July 13th, 2022**

Time: The meeting commences at 5:00 p.m.

These matters may be continued to another meeting without additional notice.

Interested persons may appear at these meetings to present oral comments, or may submit written comments, by mail to the City of Fernley Planning Department, 595 Silver Lace Blvd., Fernley, NV 89408.

If written comments are not received prior to the date of the meeting, the Planning Commission or City Council may not consider them. For further information please contact the Planning Department at (775) 784-9810.

Comments (attach additional sheets, if necessary): I have NO ISSUE WITH THE
ABOVE MENTIONED PROPOSAL HOWEVER
MILLER LANE NEEDS TO BE REPAVED IF
NEW HOMES ARE GOING TO BE BUILT.



Fred Bianchi

Noticing Map



CONDITIONAL USE PERMIT

CUP22002 – OUR SECOND HOME DAYCARE

CONSIDERATION AND POSSIBLE ACTION ON A CONDITIONAL USE PERMIT REQUEST TO ALLOW FOR THE ESTABLISHMENT OF A CHILDCARE FACILITY CENTER IN AN EXISTING BUILDING WITHIN THE MEADOWS AT INGLEWOOD DEVELOPMENT, LOCATED IN THE C2 (GENERAL COMMERCIAL) ZONING DISTRICT. THE PROJECT SITE IS LOCATED AT 1030 INGLEWOOD DRIVE, BUILDING H, ON A 7.47-ACRE PARCEL OF LAND (APN: 020-341-11).



BACKGROUND INFORMATION

- This Conditional Use Permit is requested by a tenant of The Meadows at Inglewood
- The Meadows at Inglewood Development is generally located on Inglewood Drive, east of the Fernley roundabout along US Highway 50 Alternate
- The applicant currently runs a licensed in-home daycare and has an exemplary inspection record with the Nevada Division of Public and Behavioral Health
- The applicant wishes to expand operations and move from an in-home daycare to The Meadows at Inglewood and reports the facility has been approved to care for 68 children
 - The Staff Report refers to a 62-child maximum in the Agenda Item Brief section; that was an estimate to provide Planning Commission with a sense of scale for the use
 - The use, as submitted and conditioned, would be for the number of children authorized by the Nevada Division of Public and Behavioral Health

Vicinity Map



ANALYSIS – MASTER PLAN AND LAND USE

- This master plan use designation for this parcel is Suburban Mixed Use (SMU) and the zoning General Commercial (C2)
 - The C2 zone is not an equivalent zoning category of the SMU use
 - This may be mitigated for the purposes of the conditional use because the use is also conditionally permitted in the equivalent zoning category Neighborhood Commercial (CI)
- The community goal most supported by this conditional use is C.1.3.2
 - “Promote the use of alternative modes of transportation such as ridesharing, bicycling, and walking”
 - If this use is established, employees of neighboring tenants will be able to transform their drive from the childcare provider to work into a walk across the parking lot
- Neighboring parcels are master planned as SMU, which is a land use area intended for dense residential housing located closely to employment and services such as the proposed use

ADDITIONAL INFORMATION PERTINENT TO CONDITIONAL USE PERMIT FINDINGS

- This use is to occur in a building that is already constructed
- This use is not an affordable housing project, but will serve the community by providing for the related need of access to affordable childcare
- Summary of conditions specific to this project:
 - The developer shall clearly indicate areas appropriate to pick up or drop off students
 - The applicant is permitted to transfer this conditional use to any new building constructed within the Meadows at Inglewood

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 approve the project, subject to Conditions of Approval I through 14.

- 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

The Planning Commission may deny the project. A motion to deny should be based on information received in written materials and at the public hearings on this matter. The Planning Commission's inability to make any of the applicable findings should be explicitly described.



RECOMMENDED MOTION LANGUAGE

- **Motion to Approve:**

- “I move to approve the conditional use permit associated with CUP22002, adopting findings CUI through CU6 and the facts supporting these findings as set forth in the staff report and subject to the conditions of approval I through I4 as listed in the staff report”.

- **Motion to Deny:**

- “Based on information received in written materials and the public hearings on this matter, I move to deny the conditional use permit request associated with CUP22002, because I am unable to make the following required conditional use permit findings:

I am unable to make finding(s) _____ as it relates to _____.
Therefore, I cannot approve the conditional use permit.”

Our Second Home Daycare

**Planning Commission Hearing
June 8, 2022**



LOCATION

- Located in *The Meadows* complex
- Just east of Out of Town Park



PROPOSED PROJECT

Daycare Facility with a maximum capacity of 68 children

Specific request is for: A Conditional Use Permit to establish a children's daycare center in an existing building on commercially-zoned (C2) property

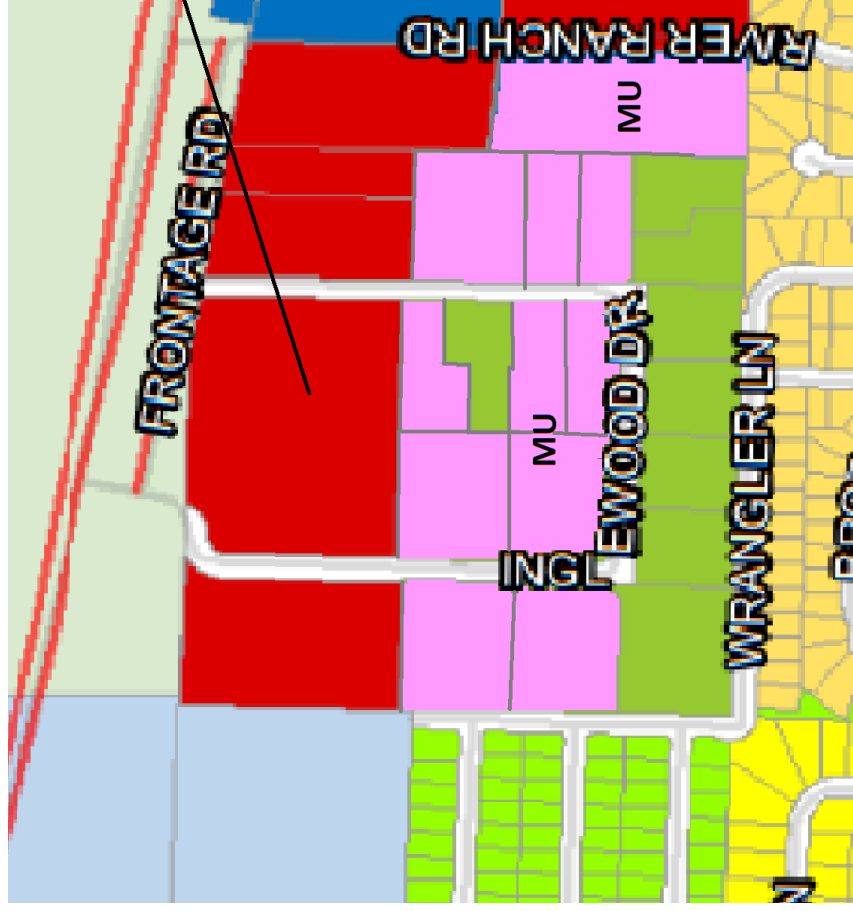
ZONING

Mix of zoning in area, including:

-C2 Commercial

-Mixed Use

-Single Family



Legend

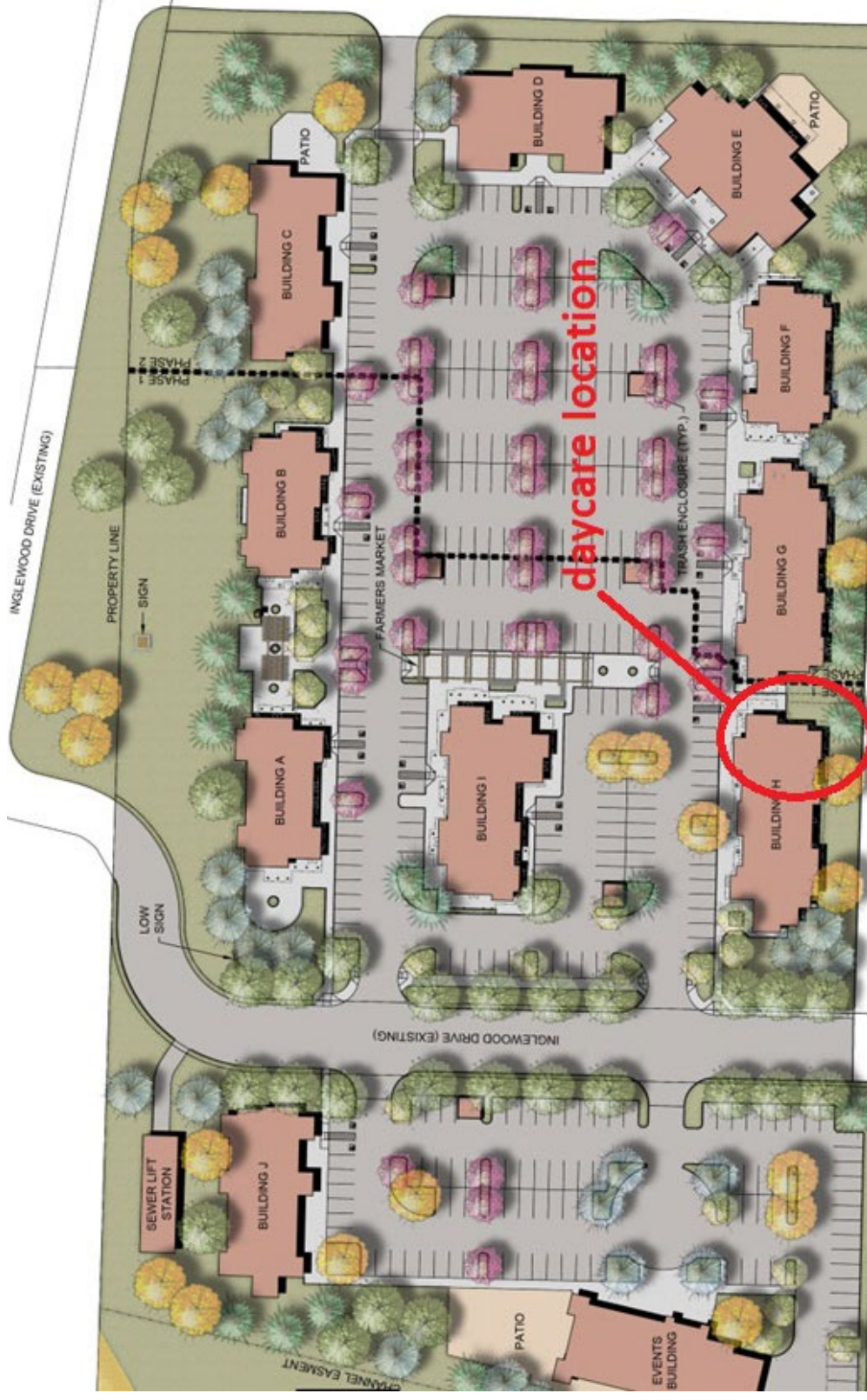
GR20	SF12	MF30	EC
RR5	SF9	MU	I
RR1	SF6	C1	PD
RR½	MDR14	C2	PF
SF20	MF21	TC	OSP

SITE

Site is designed for commercial uses

Minimal site
changes required
(fencing)

Parking, drop off
space already in
place

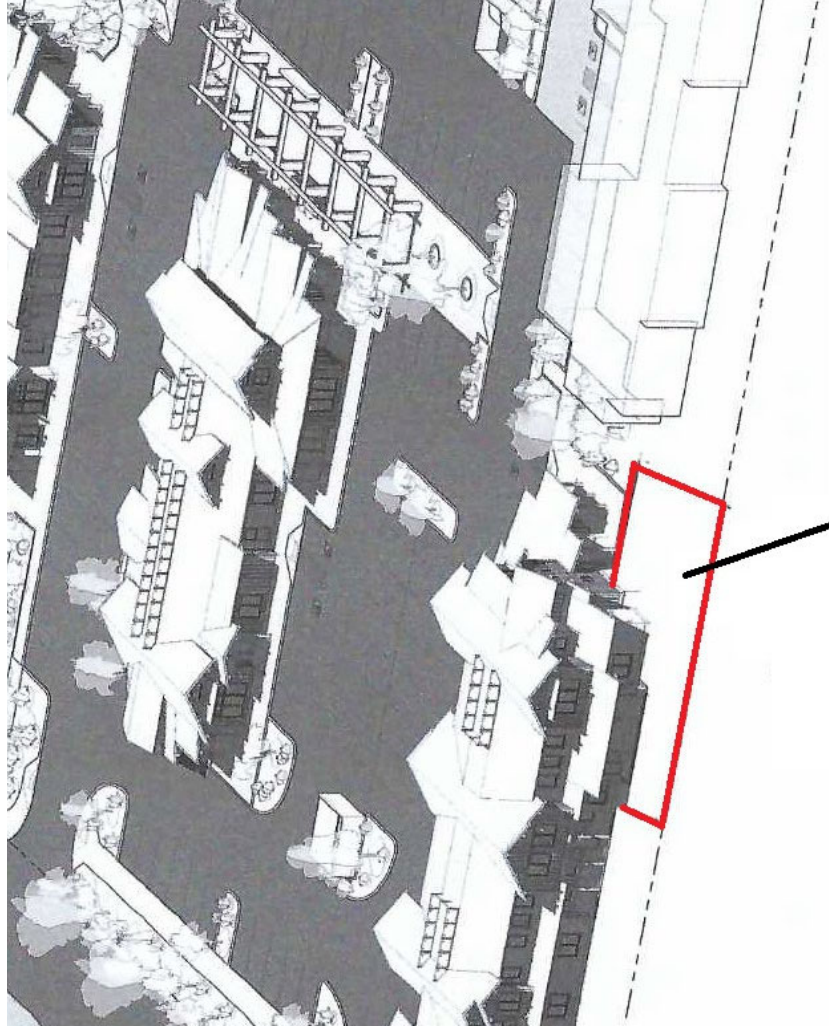


OPERATIONS AND SAFETY

- Owner has experience with daycare operations in Fernley
- Interior and exterior space exceeds state requirements
- Regular business hours only (6am-6pm)
- Drop off/Pickup area to be clearly designated
- Security doors and fencing to be installed
- Owner is familiar with fire/emergency procedures

FENCED AREA

The Meadows design allows for plenty of outdoor play area.



Fenced outdoor play area

RELOCATION WITHIN *THE MEADOWS*

The Meadows is currently under construction.

There is a possibility the owner will want to relocate to another building within *The Meadows* in the future.

The owner is requesting that any CUP approval include the option to relocate to another comparable tenant space in *The Meadows*, provided:

- the new space is functionally similar to the existing space
- all conditions of approval are satisfied
- the Planning Department agrees the new space conforms to the terms of the original approval

ENROLLMENT CAPACITY

Request is for a maximum enrollment of 68 children.

The site conforms with State requirements on space per child.

Capacity is:

<i>Interior Space Calculations</i>				
gross area sq. ft.	admin/storage area sq. ft.	usable area sq. ft.	required sq. ft. per child	max enrollment
2,893	429	2,464	35	70.4
				maximum children allowed

<i>Exterior Space Calculations</i>			
outdoor area sq. ft.	required sq. ft. per child	Max. enrollment	
3,061	37.5	81.6	maximum children allowed

MASTER PLAN AMENDMENT (MPA22002) ZONING MAP AMENDMENT (ZMA22005)

VICTORY LOGISTICS DISTRICT (MARK IV)

CONSIDERATION AND POSSIBLE ACTION ON A MASTER PLAN AMENDMENT AND ZONING MAP AMENDMENT REQUEST FROM MARK IV CAPITAL TO CHANGE THE LAND USE DESIGNATION OF A SINGLE PARCEL OF LAND (APN: 021-211-02) FROM C (COMMERCIAL) TO I (INDUSTRIAL), AND TO CHANGE THE ZONING OF TWO PARCELS OF LAND (APN'S 021-211-02 & 021-211-03) FROM RR1 (RURAL RESIDENTIAL, 1-ACRE MINIMUM LOT SIZE) TO I (INDUSTRIAL).



Vicinity Map



BACKGROUND INFORMATION

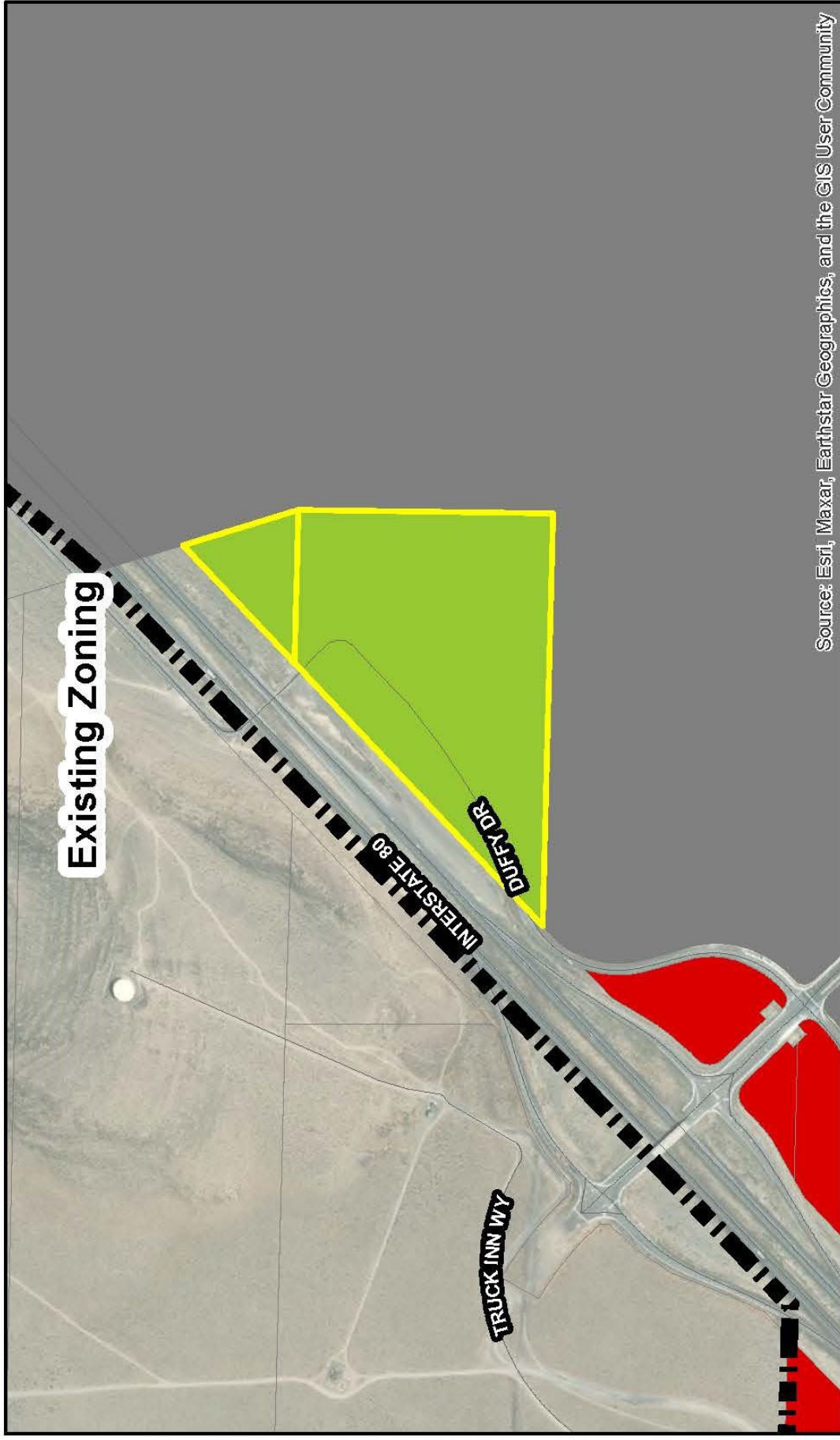
- These parcels are intended to become a part of the Victory Logistics District
- The Victory Logistics District is envisioned to become a large industrial subdivision
 - Building A has just finished construction
 - Buildings B and C are underway
 - The developer has applied for a building permit for Building D
- A fiscal impact analysis completed January 2022 for the whole project estimates a \$137.8 million surplus for the City of Fernley's General Fund over 40 years



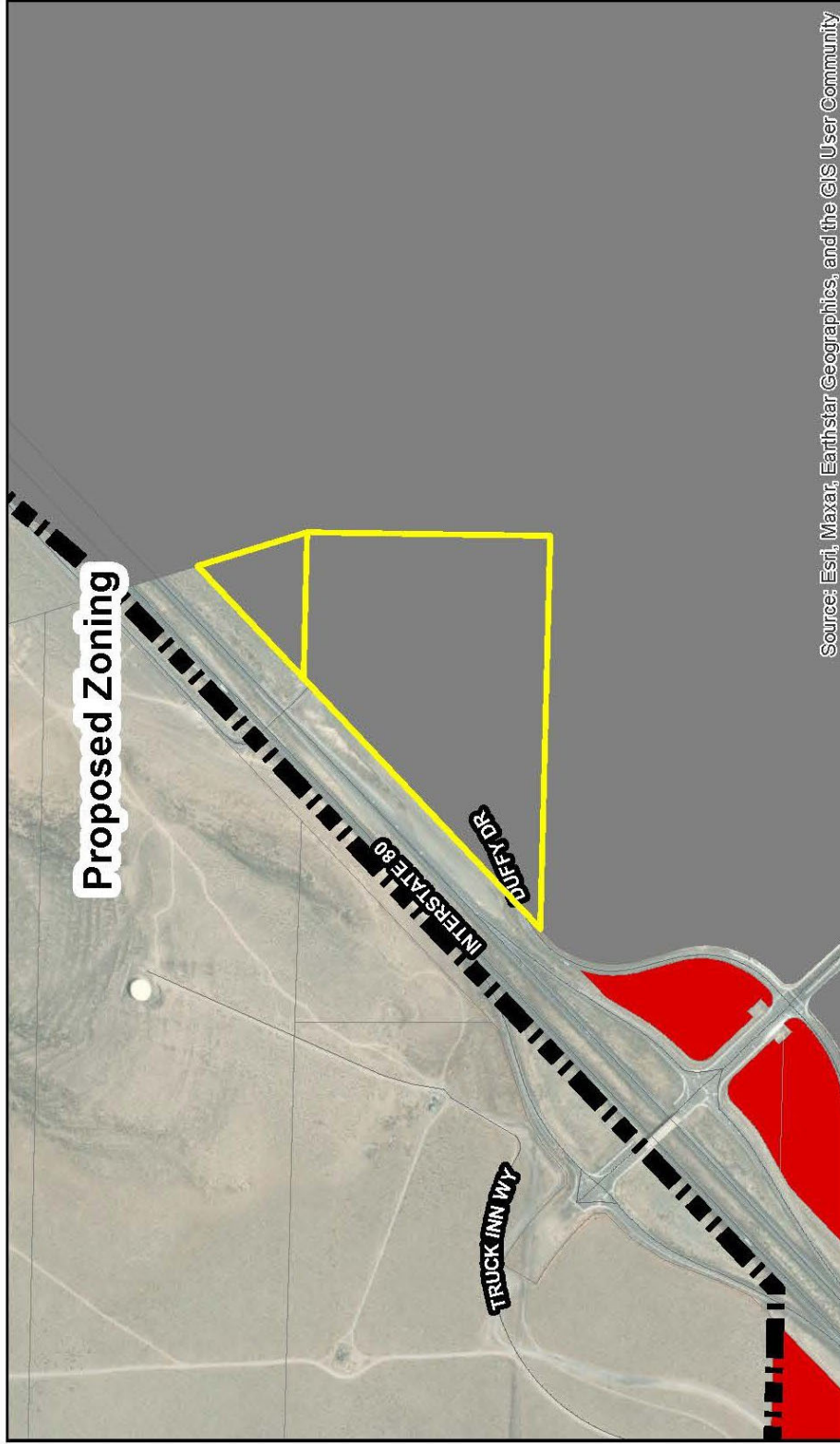
MASTER PLAN AMENDMENT ZONING MAP AMENDMENT

- Both parcels are currently zoned Rural Residential with a 1-acre minimum lot size (RRI)
- Applicant is requesting a rezoning of both parcels from RRI to Industrial (I)
- The smaller northern parcel is approximately 5 acres and already master planned as Industrial (I)
 - The requested Industrial zone is an equivalent zoning category of the existing land use
- The larger southern parcel is approximately 41.27 acres and master planned as Commercial (C)
 - The applicant is requesting a master plan amendment from Commercial to Industrial in order to align the land use with the requested zoning map amendment

Existing Zoning



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community



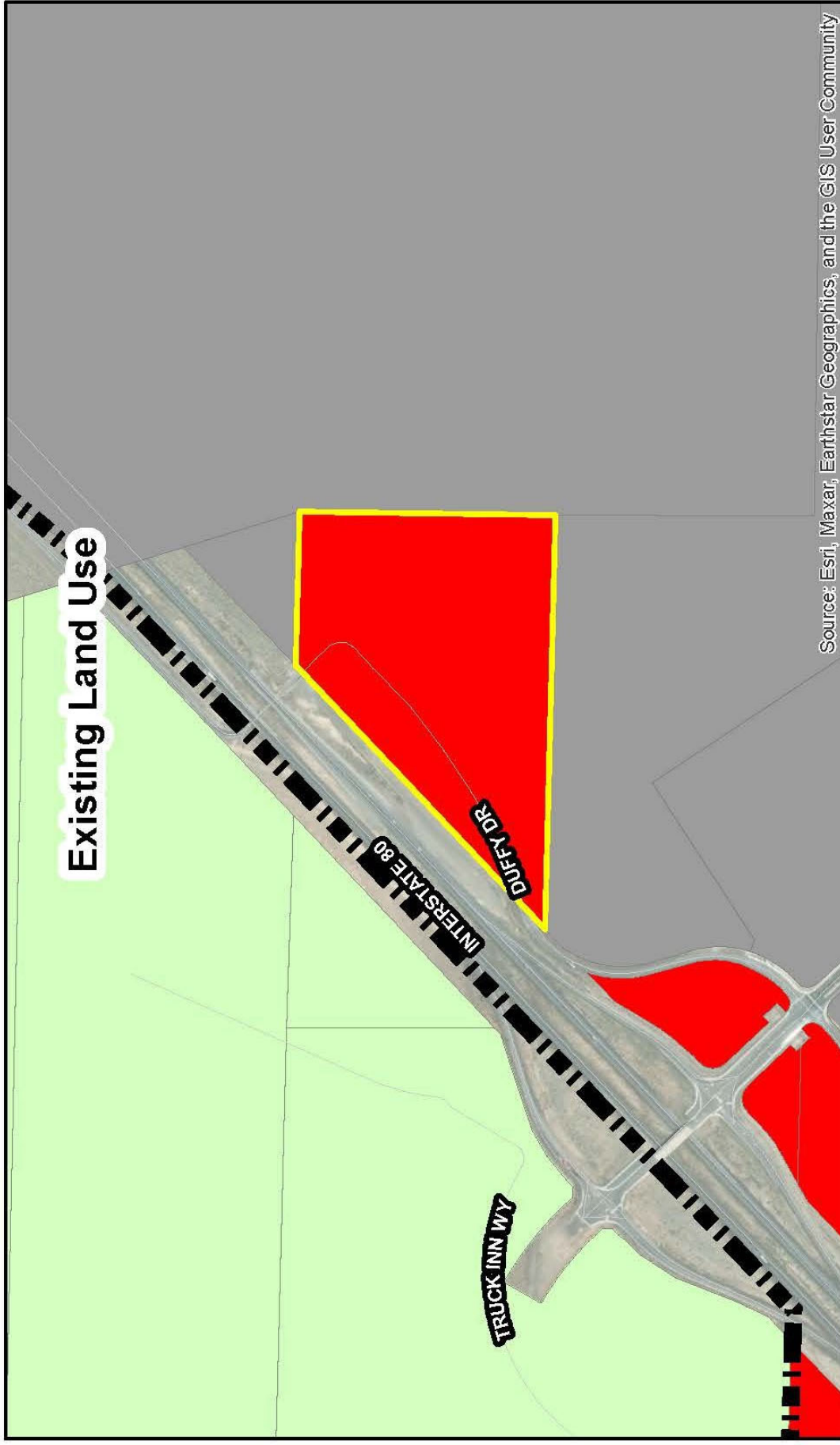
Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community



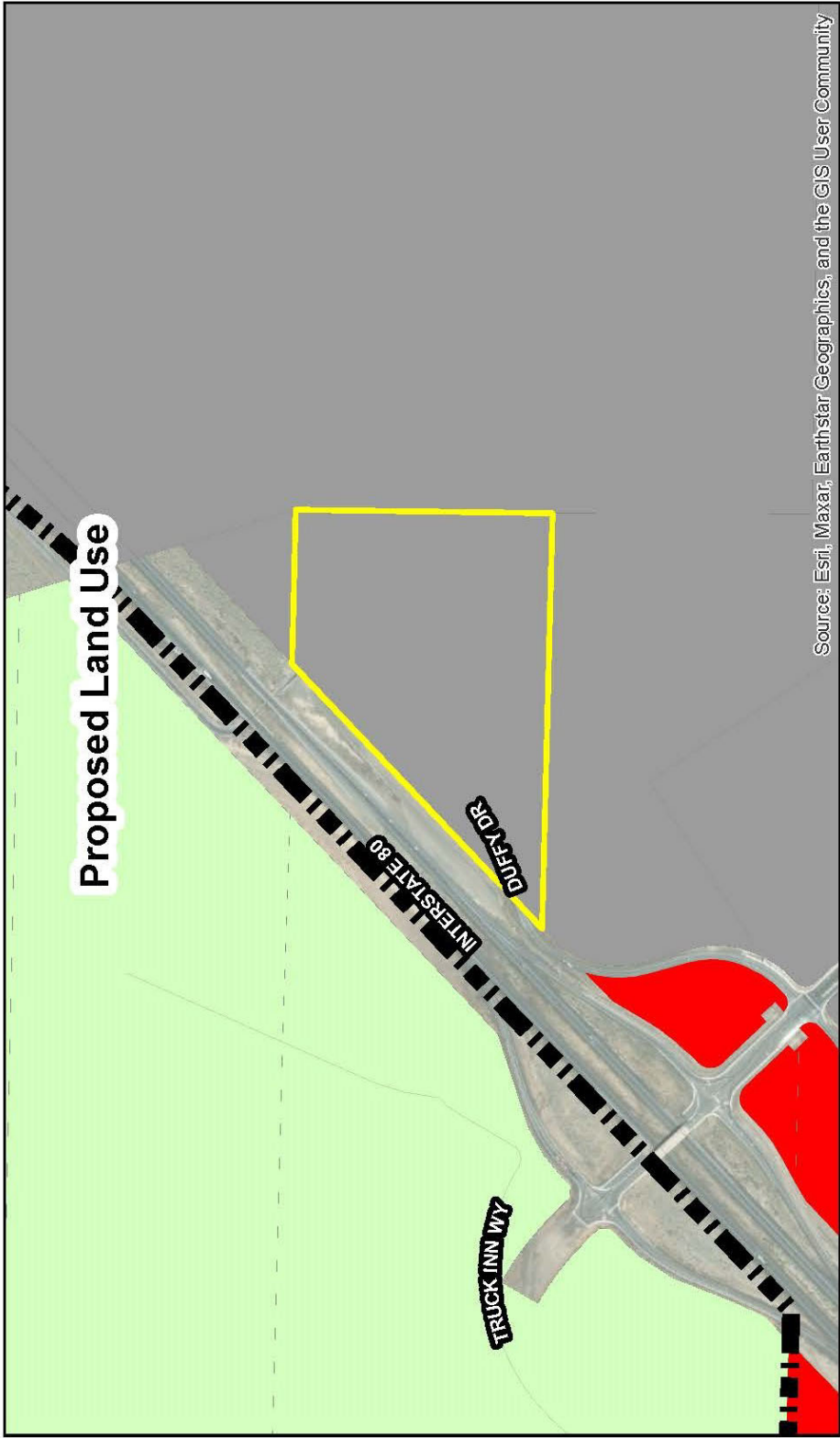
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Existing Land Use



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community



Proposed Land Use

NOTE: The scale and configuration of all information shown herein are approximate only and are NOT intended as a guide for design or survey work. Reproduction is NOT permitted without prior written permission from the City of Ferney.

- Proposed Land Use**

 - General Rural (GR)
 - Rural Residential (RR)
 - Single-Family Residential (SFR)
 - Mixed Residential (MR)
 - Multi Family Residential (MFR)
 - Commercial (C)
 - Suburban Mixed Use (SMU)
 - Industrial (I)
 - Mixed Employment (ME)
 - Public Facility (PF)
 - Open Space and Parks (OSP)
 - Tribal

Legend

Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

ANALYSIS RELATED TO FINDINGS

- The applicant indicates the project will support several community goals and action strategies related to Land Use, Transportation, Public Services and Facilities
 - Specific goals are identified in the Staff Report
- All developable surrounding parcels are already a part of the Victory Logistics District project and thus of a compatible land use
- Staff certifies that public notice has been given in accordance with Nevada Revised Statutes and Fernley Municipal Code

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 approve the Master Plan Amendment and 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 deny the Master Plan Amendment and forward a recommendation of denial to the City Council for the Zoning Map Amendment.



RECOMMENDED MOTION LANGUAGE COMPREHENSIVE MASTER PLAN AMENDMENT

- **Motion to Approve:**

➤ “I move to adopt Resolution 22-015 and forward a request of certification to the City Council for the Comprehensive Master Plan Amendment associated with MPA22002, based on Findings MPI to MP3 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 Resolution 22-015 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 findings for approval: I am unable to make the finding(s) _____ as it relates to _____; therefore, I cannot approve the Comprehensive Master Plan 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 ZMA22005, 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 ZMA22005 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) _____. Therefore, I cannot approve the Zoning Map Amendment.”