MINUTES OF THE

FERNLEY PLANNING COMMISSION MEETING

JUNE 14, 2023

1. INTRODUCTORY ITEMS

1.1. Roll Call

Present: Chairwoman Jenni McCullar, Vice Chair Angela Lewis, Commissioner Barry Williams, Commissioner Shellie Severa, Commissioner Cody Wagner, Staff: City Clerk Kim Swanson, Administrative Specialist 1 Sandy Harris, Senior Planner Shay League, Assistant Planner Lisa Warner, Planning Director Michele Rambo, City Engineer Derek Starkey, Deputy City Attorney Aaron Mouritsen, Deputy City Manager Lydia Altick. **Absent:** Commissioner Lodhi.

1.2. Public Forum

There was none.

1.3. (For Possible Action) Approval of Agenda

Senior Planner Shay League requested to hear Item 5 before conducting general business.

Motion: MOTION TO APPROVE AGENDA WITH ITEM 5 BEING MOVED IN THE AGENDA. **Action:** Approved. **Moved by:** Commissioner Cody Wagner, **Seconded by:** Vice-Chair Angela Lewis. **Vote:** Passed, **Summary:** Yes 6, **Yes:** Commissioner Williams, Commissioner Hodges, Commissioner Severa, Chairwoman McCullar, Vice-Chair Lewis, Commissioner Wagner.

1.4. (Possible Action) Approval of Minutes

Motion: MOTION TO APPROVE THE MINUTES OF APRIL 12, 2023, MEETING. **Action:** Approved. **Moved by:** Vice-Chair Angela Lewis **Seconded by:** Commissioner Shellie Severa. **Vote:** Passed, **Summary:** Yes 6. **Yes:** Commissioner Williams, Commissioner Hodges, Commissioner Severa, Chairwoman McCullar, Vice-Chair Lewis, Commissioner Wagner.

2. GENERAL BUSINESS

2.1. Discussion regarding "City of Fernley Planning Commission By-laws".

Senior Planner League did not have a presentation at this time because it was not ready for a vote. Specific items that should be considered are (1) the question of residency; (2) the definition of residency in the Nevada Revised Statues that define who is eligible to hold office; (3) doing away with Secretary. Would like feedback on establishing a closer relationship with the council.

Chairwoman McCullar is fine with 2 members being non-residents of Fernley. She would also like a closer relationship with the City Council.

Commissioner Wagner will abstain from the discussion of non-residency, as it potentially applies to him. He does like the idea of defining residency in NRS because then situations can be clearly black and white. Commissioner Wagner would like an onboarding process for new commissioners.

Vice-Chair Lewis is fine with 2 non-residence members; she is concerned about positions being voluntary and as the city grows, more time will be involved.

3. PUBLIC HEARINGS

3.1. (For Possible Action) Discussion and possible action regarding an administrative review appeal (AR22004-APP) submitted by Reno Engineering Corporation on behalf of MOHR Pilot Road LLC, regarding the conditions of approval for a 446,940 square-foot warehouse at 1000 Pilot Road (APN: 021-061-32) on a parcel ±27.83 acres in size in the Industrial zone.

Senior Planner League gave a presentation on conditions of approval that the applicant asked for review.

Condition 30: Request that the applicant submit a development agreement.

Condition 31: The signal light plan for the intersection was submitted to NDOT. The applicant is requesting they be allowed to contribute a set dollar amount to a fund to go towards that light. Staff requested that the Planning Commission leave the condition as is but also allow them, if they can provide an official letter of refusal or other such document from NDOT, they may instead provide the remaining funds for the needed intersection improvements to allow City of Fernley to construct the necessary improvements when NDOT allows it.

Condition 32: Secondary access to the project site was determined to be necessary by the North Lyon County Fire Protection District. Staff is requesting to leave this condition as is but also add the same language. If NDOT says "no light", then we will work with the secondary access point.

Chairwoman McCullar called for public input. There was no public input.

Justyn Farley, of Reno Engineering Corporation, gave a presentation, and also noted the traffic report from NDOT. In regard to the stop light, there is a certain traffic count that is needed to meet signal warrants so that you are allowed to install a signal. They are more than willing to contribute towards that signal, but at this point, per the traffic report, that signal will no longer be warranted until this project is built out plus, the wording is "this would not technically meet the 8 hour 4hour peak hour signal warrant criteria under baseline plus project conditions". It is anticipated that these warrants will be met under future plus project conditions.

Commissioner Wagner expressed concerned that just because it does not meet the traffic count does not mean a light is not warranted there.

Commissioner Hodges stated that there needs to be more traffic analysis. Commissioner Williams agrees that a traffic light is most definitely warranted there.

Commissioner Wagner asked for recommendations in regards to Condition 30. He asked if the developers had access to the 60ft right of way from the entrance to the Pilot station to the main road, and just further up they are struggling to get the 60ft.

City Engineer Starkey stated the benefit of the 60ft right-of-way section is more roadway width and space. It gives the ability to strip lanes with a center turn lane. His recommendation was to keep it.

Vice-Chair Lewis asked what the development agreement looks like in the future. She stated that the city does not have the funds to go after NDOT or fight those.

Senior Planner League stated that the development agreement proposed would be just for the question of the 50ft vs 60ft right-of-way. Our recommendation is that they still do the 60ft right-of-way if they can obtain it, then come back to council with a development agreement to say that they are going to build it to the 60ft and put this money aside for council to try to go after that extra 10ft. Regarding the intersection and the associated fire entry, my recommendation was not for the development agreement but to keep that as a requirement in case NDOT comes back and says they are not approving the signal light, that we still allow them to contribute funds towards that, but we allow them to do the alternate fire entry.

Justyn Farley stated there will be no sidewalk as proposed except for where they can tie into the existing sidewalk. They like the idea of red-stripping the entire thing, and will have no issue stripping it for 3 lanes, the issue will come into that there will be no room for a bike lane.
Fire Marshal stated that the second entrance is acceptable.

Deputy City Attorney Aaron Mouritsen suggested a development agreement.
Commissioner Williams agrees that they need 60 ft at the intersection and then 50 feet, and would like to wait on the vote for more clarification.

Motion: MOVE TO CONTINUE THE ITEM ON THE AGENDA AND DIRECT STAFF TO WORK WITH APPLICANT ON A DEVELOPMENT AGREEMENT THAT WILL BE PRESENTED AT A FUTURE MEETING TO ADDRESS BOTH THE REDUCTION IN RIGHT OF WAY AND THE SIGNAL AT PILOT ROAD. **Action:** Approved, **Moved by:** Commissioner Cody Wagner, **Seconded by:** Commissioner Barry Williams. **Vote:** Passed, **Summary:** Yes 6. **Yes:** Commissioner Wagner, Commissioner Williams, Commissioner Hodges, Commissioner Severa, Chairwoman McCullar, Vice-Chair Lewis.

3.2. (For Possible Action) Discussion and possible action on a tentative subdivision map application (TSM23001) submitted by Wood Rodgers on behalf of the Clements Family to allow for the development of a 241-lot single-family detached subdivision named "Clements Ranch" on a ±69.2-acre portion of the larger ±83.90-acre parcel generally located north of Farm District Road at the intersection of Clearwater Parkway (APN: 021-341-18).
Senior Planner Shay League reported that they have not constructed what staff feels is an appropriate set of conditions of approval to set before the commission.

Commissioner Severa stated this item should be tabled.

Derek Kirkland, representing the Clements family, stated they would be back on July 12, 2023 to do a presentation.

No public input

Motion: MOVE TO CONTINUE THIS PROJECT UNTIL THE JULY 12, 2023, MEETING. **Action:** Approved, **Moved by:** Vice-Chair Angela Lewis, **Seconded by:** Commissioner Jan Hodges. **Vote:** Passed, **Summary:** Yes 6. **Yes:** Commissioner Williams, Commissioner Hodges, Commissioner Severa, Chairwoman McCullar, Vice-Chair Lewis, Commissioner Wagner.

3.3. (For Possible Action) Discussion and possible action regarding a conditional use permit (CUP23003) application submitted by Morton & Pitalo on behalf of Fernley QOF, LLC to allow for the development of a 91-room hotel on the ±12.66-acre parcel zoned General Commercial

(C2) and generally located southeast of Stanley Drive, north of Newlands Drive East, and west of the Newlands Drive East / Lyon Drive intersection (APN: 021-232-53); this is phase one of the project known as the "Fernley Promenade" and proposed for a 3.5-acre site within the parcel.

Assistant Planner Lisa Warner gave a presentation and stated the conditional use permit request is solely for the one parcel which is where the hotel is expected to be. The parcel is to be split into two lots, one for the hotel and the other for future proposed commercial use.

No public input

Senior Planner Shay League clarified that the hotel may be 4 stories and wanted to know if the commission had any concerns in regards to fire.

Greg Bardinie, Morton & Pitalo (Zoom), wanted to let the commission know that they appreciate the opportunity to bring this before the commission and are excited to bring this project to Fernley.

Motion: MOVE TO APPROVE THE CONDITIONAL USE PERMIT ASSOCIATED WITH CUP23002, ADOPTING FINDINGS CU1 - CU6 AND THE FACTS SUPPORTING THESE FINDINGS AS SET FORTH IN THE STAFF REPORT AND SUBJECT TO THE CONDITIONS OF APPROVAL 1-33 AS LISTED IN THE STAFF REPORT. **Action:** Approved. **Moved by:** Commissioner Cody Wagner, **Seconded by:** Commissioner Severa. **Vote:** Passed, **Summary:** Yes 6. **Yes:** Commissioner Williams, Commissioner Hodges, Commissioner Severa, Chairwoman McCullar, Vice-Chair Lewis, Commissioner Wagner.

3.4. (For Possible Action) Discussion and possible action regarding a conditional use permit (CUP23004) application submitted by Westex Engineers on behalf of Stor-All, LLC for ±32,909 square feet of mini-warehouse storage space on a portion of a parcel zoned General Commercial (C2), ±11.32-acres in size, and generally located west of 95A, south of Shadow Lane, east of White Eagle Lane, and north of Sunshine Lane (APN:021-132-64).

Senior Planner Shay League presented the preliminary site plan and proposed elevations. The owner and applicant have decided that they want to build this project in 3 phases. The first phase is the storage facility, the second phase has the possibility of some commercial, and then maybe some multi-family units. Tonight, is the discussion for Phase 1 storage. Public notice has been given and a public hearing held per the requirements of the Development Code and the Nevada Revised Statues. One of the conditions of approval in question is Condition 7 regarding residential district adjacent setbacks. In accordance with Fernley Municiple Code Section 326100 all side or rear portions of the facility abutting a residential district must have a setback equal to that of the building height. The setback applies to the west and south-west portions of the facility. Fernley Planning Commission finds that a masonry wall as described by condition of approval 6 sufficiently meets the need to screen between residential and non-residential uses and hereby waives both the setback and planting requirements listed.

David Meinecke with Jordan Architects (zoom) gave a presentation on the project and stated that the square footage is 132,909, and the height of the building along the residential line will be 12 ft plus or minus. He introduced Todd Whear, an operating member and heads up the Nevada Self-Storage Association. Christopher Moltz, a licensed professional engineer for Westtexs, was also in attendance.

Commissioner Wagner asked about the second access. David Meinecke stated that the second access

will be completed with Phase 2.

Public input:
Fernley City resident Erin Ferretto was concerned about how high the masonry wall would be because her property sits higher than the project site, and concerned about run-off from her property.

Motion: MOVE TO APPROVE THE CONDITIONAL USE PERMIT ASSOCIATED WITH CUP23004, 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 33 AS SET FORTH BY STAFF IN THE STAFF REPORT. REGARDING CONDITIONS 7, 8, AND 9 I MOVE TO ADOPT THE CONDITIONS AS REQUESTED BY THE DEVELOPER. **Action:** Approved. **Moved by:** Commissioner Cody Wagner, **Seconded by:** Commissioner Jan Hodges. **Vote:** Passed, **Summary:** Yes 6. **Yes:** Commissioner Williams, Commissioner Hodges, Commissioner Severa, Chairwoman McCullar, Vice-Chair Lewis, Commissioner Wagner.

4. CHAIR AND COMMISSION ITEMS

Commissioner Cody Wagner thanked Senior Planner Shay League and Deputy City Manager Lydia Altick for holding things together and keeping the city afloat.

5. PLANNING DIRECTOR ITEMS

Senior Planner Shay League introduced the new Planning Director Michele Rambo.
Planning Director Michele Rambo gave a brief introduction of herself.

6. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS

None at this time.

7. PUBLIC FORUM

None at this time.

8. ADJOURNMENT

There being no further business to come before it, the Fernley Planning Commission meeting adjourned at 7:01 PM.

Approved by the Fernley Planning Commission on July 12, 2023, by a vote of:

AYES 7 NAYS: Ø ABSTENTIONS: Ø ABSENT: Ø

Chairwoman Jenni McCullar

Attest:

FPC 6/14/2023

Please sign in

Name	Contact Information
Erin Ferretti	775-225-0531
Cori Luschar	