MINUTES OF THE
FERNLEY PLANNING COMMISSION MEETING
NOVEMBER 8, 2023

Chairwoman Jenni McCullar called the Fernley Planning Commission meeting to order at 5:04 pm.

1. INTRODUCTORY ITEMS

1.1. Pledge of Allegiance

1.2. Roll Call

Present: Chairwoman Jenni McCullar, Vice-Chair Angela Lewis, Commissioner Jake VanderHeiden, Commissioner Humayoon Lodhi, Commissioner Barry Williams, Commissioner Shellie Severa, Commissioner Cody Wagner (Zoom), City Engineer Derek Starkey, Assistant Planner Lisa Warner, Planning Director Michelle Rambo, Senior Planner Shay League, City Attorney Aaron Mouritsen, Deputy City Manager Lydia Altick, City Clerk Kim Swanson, Deputy City Clerk Brenda Gosser

1.3. Public Forum

No public input at this time.

1.4. (For Possible Action) Approval of Agenda

Motion: I MOVE TO APPROVE THE AGENDA. **Action**: Approved, **Moved by**: Commissioner Humayoon Lodhi, **Seconded by:** Commissioner Barry Williams. **Vote:** Passed, **Summary:** Yes 7. **Yes:** Commissioner Williams, Commissioner Severa, Chairwoman McCullar, Vice-Chair Lewis, Commissioner Wagner, Commissioner Lodhi, Commissioner VanderHeiden.

1.5. (Possible Action) Approval of Minutes

Motion: I MOVE TO APPROVE THE MINUTES FROM SEPTEMBER 13, 2023, MEETING. **Action:** Approved. **Moved by**: Commissioner Barry Williams, **Seconded by**: Commissioner Humayoon Lodhi. **Vote:** Passed, **Summary:** Yes 7. **Yes:** Commissioner Williams, Commissioner Severa, Chairwoman McCullar, Vice-Chair Lewis, Commissioner Wagner, Commissioner Lodhi, Commissioner VanderHeiden.

2. OATH OF OFFICE

2.1. Administer Oath of Office to new Planning Commissioner Jake VanderHeiden

City Clerk Kim Swanson administered the Oath of Office to new Planning Commissioner Jake VanderHeiden.

3. PUBLIC HEARINGS

3.1. (For Possible Action) Consideration and possible action on TSM 2019-001 EOT, an Extension of Time request by Fernley Land Investment, LLC for not more than two years for Fernley Land Investment, LLC to record a final subdivision map for Sunrise Trails, a 202 single-family attached duplex and townhome subdivision generally located on the southern terminus of Chisholm Trail (APNs: 021-272-41, -42, -43, and -44 on a site 13.9-acres in size.

Lisa Warner, Assistant Planner, presented this item. The applicant is submitting a tentative subdivision map extension of time request. The purpose of this extension of time is to allow the developer an additional two years to record their final subdivision map. NRS 278.360 1. (a) (1) requires that the final subdivision shall be presented to City Council within four years after the approval of a tentative subdivision map. This

section of NRS also authorizes the Planning Commission to grant an extension of time no longer than 2 years. The applicant was unable to finalize preparations for recording the Sunrise Trails map by the October 16, 2023, deadline and is requesting a maximum of up to two-year extension of time. If granted, the applicant must be ready to record the final subdivision map by October 16, 2025.

Commissioner Cody Wagner expressed concerns in regards to condition 12 and the traffic.

There was no public comment at this time.

Motion: I MOVE TO APPROVE A TWO YEAR EXTENSION OF THE TENTATIVE SUBDIVISION MAP ASSOCIATED WITH TSM2019-001 WITH AN EXPIRATION DATE OF OCTOBER 26, 2025. **ACTION**: Approved, MOVED **BY**: Vice-Chair Lewis, **SECONDED BY**: COMMISSIONER HUMAYOON Lodhi. **Vote:** Passed, **Summary:** Yes 7. **Yes:** Chairwoman McCullar, Vice-Chair Lewis, Commissioner VanderHeiden, Commissioner Lodhi, Commissioner Williams, Commissioner Severa, Commissioner Wagner.

3.2. (For Possible Action) Consideration and possible action on Bill # 340—regarding a planned development application (PD22001)—and a tentative subdivision map application (TSM23002), submitted by Phelps Engineering on behalf of Creekwood Group, to rezone a ±42.87-acre parcel generally located south of Farm District Road between Linley and Barker Lanes (APN: 021-303-20) from Single-Family Residential, 20,000 square-foot minimum lot size (SF20) to Planned Development (PD). The Creekwood planned development proposes 77 single-family homes and 132 townhomes with some design standard deviations from Fernley Municipal Code.

Shay League, Senior Planner, presented this item. The Planning Commission must hold a public hearing on this item because staff gave public notice that a hearing on this item would occur at this meeting. Staff has prepared a brief presentation to give context to the public hearing, but asks that the item be continued to the December 13, 2023 meeting for the Commission's discussion, a detailed staff presentation, feedback from the applicant, and a follow-up public hearing. The applicant and staff are still working together to bring forward conditions of approval and agree that a continuation of the item is appropriate.

There was no public input at that time.

Motion: MOVE TO CONTINUE THIS ITEM TO DECEMBER 13, 2023, PLANNING COMMISSION MEETING. **Action**: Approved. **Moved by**: Commissioner Williams Jr., **Seconded by**: Commissioner Lodhi. **Vote:** Passed, **Summary:** Yes 7. **Yes**: Commissioner Williams, Commissioner Severa, Chairwoman McCullar, Vice-Chair Lewis, Commissioner Wagner, Commissioner Lodhi, Commissioner VanderHeiden.

3.3. (For Possible Action) Consideration, discussion, and possible action to recommend that the City Council approve Bill #342, an Ordinance establishing a Development Agreement (DA22001) between the developer (Mark IV Capital) and the City of Fernley in association with Phase 1 of the Victory Logistics District Planned Development relating to improvements of utilities, public services, and other related items.

Michele Rambo, Planning Director, presented this item. The property owner, Mark IV Capital, and the City of Fernley have negotiated a Development Agreement to accompany the development of the Victory Logistics District Planned Development. This agreement outlines requirements for both the developer and the City to follow as the project develops over the next 20 years. Items discussed include a new fire station, water and sewer infrastructure, traffic, and open space.

Doug, representative for Mark IV Capital, stated that the pieces are in place, some of the issues and language need to be fine-tuned.

There was no public input.

Motion: MOVE TO DENY UNTIL WE HAVE THE ACTUAL VERBAGE THEY ARE WANTING TO CHANGE. **Action**: Withdrawn. **Moved by**: Chairwoman McCullar, **Seconded by**: Commissioner Severa.

Motion: I MOVE TO RECOMMEND THAT THE CITY COUNCIL APPROVE BILL #342, AN ORDINANCE ESTABLISHING A DEVELOPMENT AGREEMENT BETWEEN MARK IV CAPITAL AND THE CITY OF FERNLEY REGARDING THE IMPROVEMENTS OF UTILITIES, PUBLIC SERVICES, AND OTHER RELATED ITEMS BASED ON THE FINDINGS OUTLINED IN THE STAFF REPORT WITH THE CONDITION THAT ANY CHANGES COME BACK TO THE PLANNING COMMISSION FOR APPROVAL. **Action:** Approved, **Moved by:** Chairwoman Jenni McCullar, **Seconded by:** Commissioner Shellie Severa. **Vote:** Passed, **Summary:** Yes 7. **Yes:** Commissioner Williams, Commissioner Severa, Chairwoman McCullar, Vice-Chair Lewis, Commissioner Wagner, Commissioner Lodhi, Commissioner VanderHeiden.

4. CHAIR AND COMMISSION ITEMS

Commissioner Cody Wagner welcomed Jake VanderHeiden. He reported that he had reached out to NDOT inquiring what Fernley could do better to coordinate some of the city's plans and there was a very specific response from NDOT. NDOT has a local road safety program that is grant funded. According to NDOT, it would be free for the City to pursue that program with NDOT. He will email the recommendations from NDOT to the City staff.

5. PLANNING DIRECTOR ITEMS

Michele Rambo, Planning Director, discussed the 2 books given to Commissioners as part of board training.

Shay League, Senior Planner, stated that in addition to the books, she printed out the most recent draft of the bylaws and procedural notes. The new bylaws have not yet been adopted or certified by the City Council. If there are any changes, she will bring them before the Commission at the next meeting.

6. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS

None at this time.

7. PUBLIC FORUM

No public input

8. ADJOURNMENT

The next meeting is December 13, 2023, at 5:00.

There being no further business to come before it, the Planning Commission meeting adjourned at 6:06 PM.

Approved by the Fernley Planning Commission on December 13, 2023, by a vote of:

AYES 5 NAYS: 0 ABSTENTIONS: 0 ABSENT: 2

Chairwoman Jenni McCullar

Attest: