

**MINUTES OF THE
FERNLEY PLANNING COMMISSION MEETING
JUNE 12, 2024**

Vice-Chair Angela Lewis called the meeting to order at 5:00 pm.

1. INTRODUCTORY ITEMS

1.1. Pledge of Allegiance

1.2. Roll Call

Present: Vice-Chair Angela Lewis, Commissioner Cody Wagner, Commissioner Jacob VanderHeiden, Commissioner Robert Flores, Commissioner Tessa Garvin, Deputy City Manager Lydia Altick, City Attorney Aaron Mouritsen, Deputy City Clerk Brenda Gosser, Administrative Specialist 1 Sandy Harris, Planning Director Michele Rambo, Senior Planner Shay League, City Engineer Derek Starkey. **Absent:** Chairwoman Jenni McCullar, Commissioner Humayoon Lodhi, Commissioner Barry Williams.

1.3. Public Forum

None at this time

1.4. (For Possible Action) Approval of Agenda

Motion: I MOVE TO APPROVE TONIGHT'S AGENDA AS PRESENTED. **Action:** Approved. **Moved by:** Commissioner Cody Wagner, **Seconded by:** Commissioner Robert Flores. **Vote:** Passed, **Summary:** Yes 5. **Yes:** Vice-Chair Lewis, Commissioner Wagner, Commissioner VanderHeiden, Commissioner Flores, Commissioner Garvin, **Absent:** Commissioner Williams, Commissioner Lodhi, Chairwoman McCullar.

1.5. (Possible Action) Approval of Minutes

Motion: I MOVE TO APPROVE THE MINUTES FROM LAST MEETING. **Action:** Approved. **Moved by:** Commissioner Robert Flores, **Seconded by:** Commissioner Cody Wagner. **Vote:** Passed, **Summary:** Yes 5. **Yes:** Vice-Chair Lewis, Commissioner Wagner, Commissioner VanderHeiden, Commissioner Flores, Commissioner Garvin. **Absent:** Commissioner Williams, Commissioner Lodhi, Chairwoman McCullar.

2. STAFF REPORTS

2.1. (For Possible Action) Discussion and possible recommendation to City Council regarding a tentative subdivision map application (TSM23003) from KLS Planning & Design Group on behalf of Schell Creek Construction to create 41 single-family detached lots on a site ±9.23-acres in size and generally located near the intersection of Canal Way and Silver Way (APN: 021-191-08). This parcel is zoned Single Family Residential, 6,000 square-foot minimum lot size (SF6) and the land use designation of Fernley's Comprehensive Plan is Single Family Residential (SFR).

Shay League, Senior Planner, presented that the applicant is proposing 41 lots as Phase 7 of the already-established Green Valley Ranch neighborhood. The applicant is currently making great progress in building phases 4 and 5. They are further working on the civil improvements and other criteria needed before they can record the final subdivision map for Green Valley Ranch Phase 6.

John Krmpotic, KLS Planning & Design, (Zoom), reviewed the 11 criteria recommendations and decisions on the tentative map as presented by staff.

Commissioner Cody Wagner asked for clarification on the "canal shifting".

Commissioner Tessa Garvin expressed concern about the safety of the canal in regard to the houses being so close to it.

Jerry Ricci, owner and developer, stated that in regard to the statement of the canal shifting, it is not that the canal is shifting, with the engineering of the reconstruction of the canal they needed more area to work the canal as it came around the curve. There are negotiations to purchase the property, so they can engineer more adequately around that corner.

Motion: I MOVE TO RECOMMEND CITY COUNCIL APPROVE THE TENTATIVE SUBDIVISION MAP FOR GREEN VALLEY RANCH PHASE 7 ASSOCIATED WITH TSM23003 BASED ON APPROVAL CRITERIA 1 THROUGH 11 AND THE FACTS SUPPORTING THESE CRITERIA AS SET FORTH IN THE STAFF REPORT. I FURTHER RECOMMEND ADOPTION OF CONDITIONS OF APPROVAL 1 THROUGH 21 AS LISTED IN THE STAFF REPORT.

Action: Approved. **Moved by:** Commissioner Cody Wagner, **Seconded by:** Commissioner Jake VanderHeiden. **Vote:** Passed, **Summary:** Yes 5. **Yes:** Vice-Chair Lewis, Commissioner Wagner,

Commissioner VanderHeiden, Commissioner Flores, Commissioner Garvin. **Absent:** Commissioner Williams, Commissioner Lodhi, Chairwoman McCullar.

3. PUBLIC HEARINGS

3.1. (For possible action) Discussion and possible action regarding Resolution #24-014 as it pertains to a comprehensive master plan amendment application (MPA24003) submitted by Golden Years Castle to change the designated land use from Single-Family Residential (SFR) to Public Facility (PF) on a site ±1.74-acres in size and approximately located at 565-575 Farm District Road (APNs: 021-111-47 & 021-111-48).

Shay League, Senior Planner, presented that the applicant is working to expand Golden Years Castle (formerly Beehive Homes) onto the parcel adjacent to the current location. To facilitate that, the applicant is requesting a change of designated land use from Single Family Residential to Public Facility. The Public Facility land use designation does not mean that a facility must be owned by City of Fernley or another governmental organization; it does limit the zone of the parcel to either Public Facility or Planned Development. In turn, the necessary Public-Facility zone will limit the property to one of 30 uses generally thought to benefit the public. As an existing elder care facility, the applicant's intended use is classified as "life care or continuing care services". However, any one of the other appropriate uses such as an office, child care facility, or hospital are permitted within the equivalent zoning district. Staff encourages review of the use table in Fernley Municipal Code (FMC) §32.06.150 to get an idea of what all the possible uses are for the equivalent zoning district of this land use designation.

Jose Castillo, Administrator of Golden Years Castle, gave a brief history of Golden Years Castle Property Holding. He stated that they are not like an institution, that they provide individualized care and cater to the specific needs of their clients. The Fernley facility is one of the three facilities that take Alzheimer's patients under the Medicaid Waiver program in Northern Nevada.

There was no public input.

Motion: I MOVE TO ADOPT RESOLUTION #24-014, AND RECOMMEND CITY COUNCIL CERTIFY THIS RESOLUTION AND APPROVE THE MASTER PLAN AMENDMENT ASSOCIATED WITH MPA24003. I FURTHER MOVE TO ADOPT FINDINGS A, B, AND C, AND THE FACTS SUPPORTING THESE FINDINGS AS SET FORTH IN THE STAFF REPORT.

Action: Approved. **Moved by:** Commissioner Tessa Garvin, **Seconded by:** Commissioner Robert Flores. **Vote:** Passed, **Summary:** Yes 5. **Yes:** Vice-Chair Lewis, Commissioner Wagner,

Commissioner VanderHeiden, Commissioner Flores, Commissioner Garvin. **Absent:** Commissioner Williams, Commissioner Lodhi, Chairwoman McCullar.

3.2. (For possible action) Discussion and possible action regarding a conditional use permit extension of time application (CUP23004-EOT) submitted by Heartfelt Engineering on behalf of Stor-All, LLC to allow for a mini-warehouse (self-storage) on a site zoned General Commercial (C2) and generally located west of US95A and south of Shadow Lane (APN: 021-132-64).

Shay League, Senior Planner, presented that the applicant is requesting an extension of time on the conditional use permit granted for a 132,909 square foot self-storage facility. The applicant notes that their offsite improvement plans are complete and ready to submit to the City of Fernley. The owner/applicant intends to develop the project in three phases. Phase 1 will consist of the self-storage facility, Phase 2 is proposed as 30 multifamily dwelling units, and Phase 3 is proposed as 19,300 square feet of commercial retail space. This conditional use permit only pertains to the storage facility, as a specific use has not been specified for the commercial space and the City has not received enough information regarding the form of the 30 multifamily dwelling units to approve it as a conditional use. The developer will need to reapply with a conditional use permit or administrative review to develop phases 2 and 3 when they are ready to do so. These conditions do not guarantee that the applicant will develop phases 2 and 3.

Todd Greer, Stor-All, LLC., gave a brief history of dedication, time and money spent on this property. To date, they have spent nearly \$200,000.00 after purchasing this property to try to not only gain this conditional use permit, but to ensure that this project remains viable and feasible.

Commissioner Cody Wagner asked for clarification on the 1-year extension and if this would be the final extension of time this project would have.

Shay League, Senior Planner, stated that as long as they're showing progress past the expiration date in establishing the use, their approval would remain active, without necessarily being constructed, at the discretion of City staff. Currently, the general standard for one year is to have them send back comments, submit the next step, etc.

Public input:

Beck Howlett, Fernley resident, stated she was curious about how they were going to arrange storage units, businesses and housing all in one area.

Shay League, Senior Planner, stated that the storage is going in the rear of the parcel, and the front of the parcel is proposed to be divided into two. The business portion is closer to Roundtable and the housing portion is closer to the opposite side.

Chris Moltz (Zoom) asked for clarification on whether the conditional use permit would be established if they have filed for civil improvements and building permits, and then file the application within the one year extension.

Michele Rambo, Planning Director, stated that as long as the applicant keeps in touch and keeps the department apprised at the progress, they are more than happy to work with them on the expiration dates.

Motion: I MOVE TO APPROVE THE EXTENSION OF TIME FOR THE CONDITIONAL USE APPROVED BY CUP23004 WITH CONDITIONS OF APPROVAL 1-6 AND 10-35 AS ORIGINALLY APPROVED AND CONDITIONS OF APPROVAL 7-9 AS SUGGESTED IN THE STAFF REPORT BECAUSE I BELIEVE THE CONDITIONS 7-9 PROPOSED BY STAFF BETTER ADDRESS THE IMPACT THIS DEVELOPMENT WILL HAVE ON THE NEIGHBORHOOD AND, THAT BASED ON THE STAFF REPORT, ALL OTHER FINDINGS FOR APPROVAL CAN BE MADE. **Action:** Approved. **Moved by:** Commissioner Cody Wagner, **Seconded by:** Commissioner Tessa Garvin. **Vote:** Passed, **Summary:** Yes 5. **Yes:** Vice-Chair Lewis, Commissioner Wagner, Commissioner VanderHeiden, Commissioner Flores, Commissioner Garvin. **Absent:** Commissioner Williams, Commissioner Lodhi, Chairwoman McCullar.

3.3. (For possible action) Discussion and possible action regarding a conditional use permit application (CUP24003) submitted by Westex Consulting on behalf of Nev Dev LLC to allow for a mini-warehouse (self-storage) and manufactured home park on a ±15.66-acre site zoned General Commercial (C2) and generally located on the south side of Farm District Road, west of Desert Lakes Drive, and east of Donna Way (APN: 021-301-35).

Shay League, Senior Planner, presented this item. Shay stated that the applicant has been working to find a combination of uses for this very large parcel, that balances the needs of the existing neighbors with the needs of our community as a whole; while protecting future residents and/or business owners from proximity to the neighboring high-voltage power lines; and at the same time, keeping it financially feasible. Staff believes that the proposed project, with a mixture of commercial, manufactured homes, and self-storage, is the highest and best use of this site.

This site has a previous conditional use permit for ±15.08-acres of self-storage. The applicant is requesting that this conditional use permit be issued to contain ±15.66-acres of a mixture of the original self-storage and a manufactured home park.

Commissioner Robert Flores asked for clarification on the ownership of the property and manufactured homes, and parking on the streets.

Shay League, Senior Planner, stated that the manufactured home park is going to retain ownership of the lots and the park will be managed as a community. The homeowner will be purchasing the manufactured home and they will own that component of the property.

Rebecca Bernier, representing the applicant, stated that the roads within the manufactured home park will be 26 feet. There will be designated tandem parking on the side of each unit and no parking on the street.

Commissioner Cody Wagner asked about the phases of this project and how long will the process take.

Mr. McCreary stated that the first phase would be 15 lots. 5 houses would be set up, and then sell those 5 houses and then build another 5 houses. Then the next 15 lots would be started.

Public input:

David Stix, Fernley resident, stated that he opposes this project.

Mike Lowery, Fernley resident, stated that he opposes this project.

Mr. McCreary, stated that it is not their intention to flip this property.

Motion: I MOVE TO APPROVE THE CONDITIONAL USE PERMIT ASSOCIATED WITH CUP24003, SUBJECT TO CONDITIONS OF APPROVAL 1 THROUGH 21 AS SUGGESTED BY STAFF. I FURTHER MOVE TO ADOPT THE FINDINGS A THROUGH F AS SET FORTH IN THE STAFF REPORT. **Action:** Approved. **Moved by:** Commissioner Cody Wagner, **Seconded by:** Commissioner Robert Flores. **Vote:** Passed, **Summary:** Yes 3, No 2. **Yes:** Commissioner Wagner, Commissioner VanderHeiden, Commissioner Flores, **No:** Vice-Chair Lewis, Commissioner Garvin, **Absent:** Commissioner Williams, Commissioner Lodhi, Chairwoman McCullar.

3.4. A workshop to review and discuss revisions to Chapter 32.01 (General Provisions) and Chapter 32.02 (Definitions and Interpretations) of the City of Fernley Development Code and other matters related thereto.

Michele Rambo, Planning Director, stated that the City of Fernley Planning Department is updating Title 32 of the Municipal Code, also known as the Development Code, to: 1) modernize it to better reflect current trends and technologies; 2) codify and streamline the development process; and 3) make general content and grammar corrections. The staff has completed an initial review of Chapter 32.01 (General Provisions) and Chapter 32.02 (Definitions and Interpretations) and has recommended many changes. The Development Code was last updated in 2020. While that was fairly recent, the existing Development Code poses some challenges for both staff and developers. These challenges include inconsistencies between sections, vague requirements that are hard to interpret and enforce, and a general lack of appropriate regulations for a growing community. During the update process, the staff wants to get input from the Planning Commission, City Council, and the public to ensure that the updated Development Code works for as many people as possible. The Planning Department's goal is to create a Development Code that encourages development, while maintaining the character and community that residents have come to enjoy. For the purposes of this workshop, the staff is requesting that the Planning Commission review the proposed changes, provide their opinions, and/or make suggestions for further changes.

Commissioner Cody Wagner encouraged that there be as much similarity between the county and city codes.

There was no public input.

4. CHAIR AND COMMISSION ITEMS

None at this time.

5. PLANNING DIRECTOR ITEMS

Michele Rambo, Planning Director, gave a brief overview update on the North Area Plan and stated that staff has a draft land use plan put together. There was a meeting with the stakeholders, the property owners and the people that are possibly interested in developing the north area above the freeway. She mentioned that there were some changes and hopes to have something to distribute publicly by the end of this month or mid-July.

6. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS

Commissioner Cody Wagner requested a future agenda item on the possibilities for the parcel on Cottonwood & Hardie Lane. He asked if there is some kind of deadline and if there is any bonding to help reclaim it.

Vice-Chair Angela Lewis requested an update on the Nevada Pacific Parkway and where the city is in the process.

7. PUBLIC FORUM

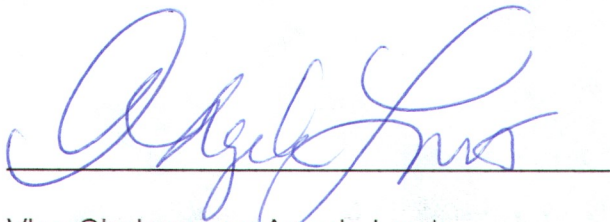
None at this time.

8. ADJOURNMENT

There being no further business to come before it, the Fernley Planning Commission meeting adjourned at 6:58 pm.

Approved by the Fernley Planning Commission on July 10, 2024, by a vote of:

AYES 5 NAYS: 0 ABSTENTIONS: 0 ABSENT: 2



Vice Chairwoman Angela Lewis



ATTEST: