



N E V A D A

AGENDA
Regular Meeting
Planning Commission

Wednesday, August 14, 2024 • 5:00 PM

Members

Jenni McCullar - Chairwoman
Angela Lewis - Vice Chair
Barry Williams Sr. - Commissioner
Cody Wagner - Commissioner
Jacob VanderHeiden - Commissioner
Robert Flores - Commissioner
Tessa Garvin - 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](#), 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 commission members 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 City Council.

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. Pledge of Allegiance**
- 1.2. Roll Call**
- 1.3. Public Forum**
- 1.4. (For Possible Action) Approval of Agenda**
- 1.5. (Possible Action) Approval of Minutes**

2. STAFF REPORTS

- 2.1. A presentation of public online survey results gathered as part of the North Fernley and Southwest Fernley Area Plan process.**

3. GENERAL BUSINESS

- 3.1. (For possible action) Discussion and possible action regarding a partial relinquishment of an easement due to erroneous description in deed**
- 3.2. Presentation by Kimley-Horn on the status of both the North Fernley and Southwest Fernley Area Plans.**
- 3.3. (For possible action) Discussion and possible action regarding a waiver application (WVR24001) to waive curb/gutter/sidewalk, parking, and landscaping development standards on a parcel zoned Neighborhood Commercial (C1), ±5,892-square-feet in size, and located at approximately 45 HWY 95A (APN: 020-041-57) within the downtown waiver area.**

4. PUBLIC HEARINGS

A. DISCUSSION WITH PLANNING COMMISSION & STAFF B. PUBLIC INPUT C. ADDITIONAL DISCUSSION WITH PLANNING COMMISSION & STAFF D. COUNCIL ACTION OR DIRECTION TO STAFF

- 4.1. (For possible action) Discussion and possible action to make a recommendation to Fernley City Council regarding Bill #354 as it pertains to a zoning map amendment (ZMA24003) submitted by Wood Rodgers on behalf of Douglass Development to request a zone change from Neighborhood Commercial (C1) to General Commercial (C2) on a parcel ±5.00-acres in size and generally located north of Farm District Road between Camille Drive and Jenny's Lane (APN: 020-351-08).**

5. CHAIR AND COMMISSION ITEMS

(SUMMARY OR ACTIVITY REPORTS ON PLANNING ISSUES, ACTIVITIES OR ORGANIZATIONS IN WHICH INDIVIDUAL MEMBERS MAY BE INVOLVED. THIS ITEM IS TO PROVIDE GENERAL INFORMATION TO THE COMMISSION AND PUBLIC. NO DISCUSSION SHALL TAKE PLACE AND NO ACTION WILL BE TAKEN.)

6. PLANNING DIRECTOR ITEMS

(ACTIVITY SUMMARY OR UPDATES ON PROJECTS THAT HAVE BEEN PREVIOUSLY REVIEWED BY THE PLANNING COMMISSION. THIS ITEM IS TO PROVIDE GENERAL INFORMATION TO THE COMMISSION AND PUBLIC. NO DISCUSSION SHALL TAKE PLACE AND NO ACTION WILL BE TAKEN.)

7. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS

8. PUBLIC FORUM

9. ADJOURNMENT

Next Meeting: September 11th @ 5pm

**MINUTES OF THE
FERNLEY PLANNING COMMISSION MEETING**

JULY 10, 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 Barry Williams, Commissioner Tessa Garvin, Commissioner Robert Flores, Deputy City Manager Lydia Altick, City Attorney Aaron Mouritsen, City Clerk Kim Swanson, Deputy City Clerk Brenda Gosser, Planning Director Michele Rambo, Senior Planner Shay League, City Engineer Derek Starkey. **Absent:** Planning Commission Chairwoman Jenni McCullar, Commissioner Jake VanderHeiden.

1.3. Public Forum

There was none.

1.4. (For Possible Action) Approval of Agenda

Motion: I MOVE TO APPROVE THE AGENDA AS PRESENTED. **Action:** Approved, **Moved by:** Commissioner Wagner, **Seconded by:** Commissioner Flores. **Vote:** Passed, **Summary:** Yes 5. **Yes:** Commissioner Williams, Planning Commission Vice-Chair Lewis, Commissioner Wagner, Commissioner Flores, Commissioner Garvin.

1.5. (Possible Action) Approval of Minutes

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

2. STAFF REPORTS

2.1. (For possible action) Discussion regarding the approved 66-lot townhome project located at the northeast corner of Cottonwood and Hardie Lanes. The project is located at approximately 905 Hardie Lane (APN: 021-121-19), ±6.42-acres in size, zoned Residential - Multiple Family (30 dwelling units per acre maximum), and the designated land use is Mixed Residential (MR).

Senior Planner Shay League presented this item, stating that applicant has provided a bond and obtained a will-serve. Senior Planner League and City Engineer Derek Starkey answered questions.

3. GENERAL BUSINESS

3.1. Presentation by Kimley-Horn on the status of both the North Fernley and Southwest Fernley Area Plans.

This item was addressed after item 4.1.

Planning Director Rambo stated that the presenter was not able to attend today's meeting.

Motion: I MOVE TO CONTINUE ITEM 3.1 TO THE AUGUST MEETING. **ACTION:** I MOVE TO CONTINUE

ITEM 3.1 TO THE AUGUST MEETING, **Moved by:** Commissioner Cody Wagner, **Seconded by:** Commissioner Barry Williams. **Vote:** Yes 5. **Yes:** Commissioner Williams, Planning Commission Vice-Chair Lewis, Commissioner Wagner, Commissioner Flores, Commissioner Garvin.

3.2. Presentation by the Deputy City Manager on the status of the extension of Nevada Pacific Parkway.
Deputy City Clerk Lydia Altick presented this item.

3.3. (For Possible Action – As the Capital Improvements Advisory Committee) Consideration, discussion, and possible action to provide staff with the top three desired development impact fees for implementation, and other matters related thereto.

Planning Director Michele Rambo presented this item.

Commissioner Wagner asked if these fees would be able to be used citywide.

Commissioner Flores verified that the fees would be assessed on new development and recommended a rank order.

Commissioner Garvin asked regarding Fire and Police items. Commissioner Flores inquired about the storm/drain system.

Commissioner Lewis inquired about impact fees regarding water. Commissioner Flores inquired about the streets and park impact fees. Park fees were discussed by the commission.

Planning Director Rambo and City Engineer Starkey answered questions. Discussion ensued as the commission reviewed each impact fee category.

Commissioner Garvin asked if the fees will be differentiated from everything else, Planning Director Rambo stated that they would be dedicated individually.

Motion: I MOVE TO INCLUDE STREETS AS ONE OF THE TOP PRIORITY ITEMS FOR IMPACT FEES. **Action:** Approved, **Moved by:** Commissioner Cody Wagner, **Seconded by:** Commissioner Robert Flores. **Vote:** Passed, **Summary:** Yes 5. **Yes:** Commissioner Williams, Planning Commission Vice-Chair Lewis, Commissioner Wagner, Commissioner Flores, Commissioner Garvin.

Motion: I MOVE TO INCLUDE PARKS AS ONE OF THE TOP PRIORITY ITEMS FOR IMPACT FEES. **Action:** Approved, **Moved by:** Commissioner Robert Flores, **Seconded by:** Commissioner Barry Williams. **Vote:** Passed, **Summary:** . **Yes:** Commissioner Williams, Commissioner Wagner, Commissioner Flores, **No:** Planning Commission Vice-Chair Lewis, Commissioner Garvin.

Motion: I MOVE TO INCLUDE DRAINAGE AS ONE OF THE TOP PRIORITY ITEMS FOR IMPACT FEES. **Action:** Approved, **Moved by:** Commissioner Flores, **Seconded by:** Commissioner Garvin. **Vote:** Passed, **Summary:** . **Yes:** Commissioner Williams, Planning Commission Vice-Chair Lewis, Commissioner Wagner, Commissioner Flores, Commissioner Garvin.

4. PUBLIC HEARINGS

4.1. (For Possible Action) Consideration, discussion, and possible action to recommend that the City Council approve Bill #352, an Ordinance amending Title 32, Chapter 3, Section 060 (Land division applications) of the Fernley Development Code to create Subsections g(1)(b)(4) and g(1)(b)(5) to separate unrelated portions of parcel and lot design standards, and other matters related thereto.

Planning Director Michele Rambo presented this item.

There was no public input.

Motion: I MOVE TO RECOMMEND THAT THE CITY COUNCIL ADOPT BILL #352, AN ORDINANCE AMENDING TITLE 32, CHAPTER 3, SECTION 060 (LAND DIVISION APPLICATIONS) OF THE CITY OF FERNLEY DEVELOPMENT CODE AS PRESENTED BY STAFF **Action:** Approved, **Moved by:** Commissioner Flores, **Seconded by:** Commissioner Williams. **Vote:** Passed, **Summary:** Yes 5. **Yes:** Commissioner Williams, Vice-Chair Lewis, Commissioner Wagner, Commissioner Flores, Commissioner Garvin.

5. CHAIR AND COMMISSION ITEMS

There was none.

6. PLANNING DIRECTOR ITEMS

Planning Director Michele Rambo briefly updated the Commission on the North and Southwest Area Plans. Commissioner Wagner asked if the Commission can email comments.

7. ITEMS REQUESTED BY PLANNING COMMISSIONERS

7.1. Possible action requesting a future agenda item to discuss possibilities for the parcel on Cottonwood and Hardie Lane. (Commissioner Wagner)

This item was addressed during item 2.1.

7.2. Possible action requesting a future agenda item to discuss Nevada Pacific Parkway. (Commissioner Lewis)

This item was addressed during item 3.2.

8. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS

There were none.

9. PUBLIC FORUM

There was none.

10. ADJOURNMENT

Being no further business to come before it, the Fernley Planning Commission meeting adjourned at 5:46 pm.

Approved by the Fernley Planning Commission on August 14, 2024, by a vote of:

AYES _____ NAYS: _____ ABSTENTIONS: _____ ABSENT: _____

Vice-Chairwoman Angela Lewis

ATTEST:



CITY OF FERNLEY

Planning Commission AGENDA REPORT

Meeting Date: August 14, 2024

REPORT TO: Fernley Planning Commission

REPORT FROM: Michele Rambo, Planning Director

FINANCIAL IMPACT:

Yes: No: X

CURRENTLY BUDGETED:

Yes: No: X

FUND/ACCOUNT:

N/A

ACTION REQUESTED: Receive/File

AGENDA ITEM:

A presentation of public online survey results gathered as part of the North Fernley and Southwest Fernley Area Plan process.

AGENDA ITEM BRIEF:

An online survey was open to the public between January 2024 and May 2024 to gather information regarding what the public wanted to see included as part of the North and Southwest Area Plans currently being developed. The Planning Director will present the results of this survey to the Planning Commission.

RECOMMENDED MOTION:

N/A

BUSINESS IMPACT (per NRS Chapter 237):

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.

ALTERNATIVES:

N/A

BACKGROUND:

As part of the development of the North Fernley Area Plan and the Southwest Fernley Area Plan, an online survey was made available to the public from January 2024 to May 2024. Questions on this survey focused on what the public likes about Fernley, what types of development they would like to see in the future, and what features the public would like to see preserved. The Planning Director will be presenting the results of the survey and some of the underlying implications that will help guide the development of both Area Plans.

RELEVANT LAWS, STATUTES, AND REGULATIONS:

N/A

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

None



CITY OF FERNLEY

Planning Commission AGENDA REPORT

Meeting Date: August 14, 2024

REPORT TO: Fernley Planning Commission

REPORT FROM: Aaron Mouritsen, City Attorney

FINANCIAL IMPACT:

Yes:

No:

CURRENTLY BUDGETED:

Yes:

No:

FUND/ACCOUNT:

ACTION REQUESTED: Motion

AGENDA ITEM:

(For possible action) Discussion and possible action regarding a partial relinquishment of an easement due to erroneous description in deed

AGENDA ITEM BRIEF:

RECOMMENDED MOTION:

BUSINESS IMPACT (per NRS Chapter 237):

See attached report for background, analysis, alternatives.

ALTERNATIVES:

BACKGROUND:

RELEVANT LAWS, STATUTES, AND REGULATIONS:

FINANCIAL IMPLICATIONS:

ATTACHMENTS:

1. Scan_0552

Robert J. Bennett
Attorney at Law
452 Mallard Way
Fernley, NV 89408
775-530-8878
bennettlaw1975@outlook.com

AGENDA ITEM REQUEST

PARTIAL RELINQUISHMENT OF EASEMENT DUE TO ERRONEOUS DESCRIPTION IN DEED

Background: On January 29, 1981, a Parcel Map, being Lyon County Recorder Document Number 58374 provided a 35 foot utility easement on the southern boundary of Assessor's Parcel Number 021-232-06.

On October 24, 1990, that parcel set forth on the parcel map was sold to George Mull, a Deed being recorded in the Lyon County Recorder's Office as Document Number 137069. The deed erroneously described a 50 foot easement on the southern border rather than the 35 foot utility easement as described the Parcel Map.

George Mull deceased and his son, M. Bruce Mull became the owner of the property by way of an Administrators Deed, Lyon County Recorders Document Number 316831.

On September 24, 2014, M. Bruce Mull transfer by Deed being Lyon County Recorder's Document Number 525949 to the M. Bruce Trust 2014 Revocable Trust.

Request: It is requested that the Planning Department recommend to the Fernley City Counsel and its Mayor, to partially relinquish the erroneous described 50 foot easement and retain the 35 foot easement as set forth on the Parcel Map, Document Number 58374.


Robert J. Bennett
Attorney for Bruce Mull
Trustee of the M. Bruce Mull Trust

- Attachments:
1. Copy of Partial Abandonment, Relinquishment and Termination of Easement Agreement
 2. Parcel Map, Document Number 58374
 3. Copy of erroneous Deed, Document Number 137069

When recorded return to:
Robert J. Bennett
Attorney at Law
452 Mallard Way
Fernley, NV 89408

PARTIAL ABANDONMENT, RELINQUISHMENT AND TERMINATION OF EASEMENT AGREEMENT

This Partial Abandonment, Relinquishment, and Termination of Easement Agreement is entered into this _____ day of _____, 2024, by the City of Fernley and M. Bruce Mull, trustee of the M. Bruce Mull 2014 Revocable Trust, with reference to the following facts:

On January 1, 1981, the Johnson Development Company caused to be filed with the Lyon Recorder a Parcel Map, Document Number 58374.

That said Parcel Map designated a 35 foot utility easement along the southern border of the property.

That on October 24, 1990, a parcel set forth on the Parcel Map, Assessor's Parcel Number 021-232-06, was sold to George Mull, a Deed being recorded in the Lyon County Recorders Office as Document Number 137069.

Said Deed in the legal description of the parcel erroneously describes a 50 foot public utility easement on the southern border of the property: to wit, "reserving along the southern 50.00' of said parcel a utility easement.", being an error of the party drafting the deed.

The recital of the erroneous 50 foot easement along the southern border of the property incorrectly describes the 35 foot easement along the southern border of the property as set forth in Parcel Map 58374.

George Mull deceased and Bruce Mull became the owner of the subject property by way of Administrator's Deed, Lyon County Recorder's Document Number 316831.

On September 24, 2014, by way of Deed to Trust, Lyon County Recorder's Document Number 525949, said property was deeded to M. Bruce Mull Trustee, of the M. Bruce Mull Trust 2014 Revocable Trust.

Based on the foregoing, the City of Fernley hereby permanently and irrevocably partially abandon, relinquish and terminate the grant of a 50 foot easement as set forth Deed Document Number 137069 and retains permanently and irrevocably a 35 foot utility easement along the southern border of said property, being Assessor's Parcel Number 021-232-06 to comport with the utility easement set forth on Parcel Map recorded January 29, 1981, Document Number 58374, being a 35 foot utility easement.

The terms of this agreement shall run with the subject property, Assessor's Parcel Number 021-232-06.

CITY OF FERNLEY

NEIL E. MCINTYRE,
Mayor

BRUCE MULL, Trustee
Property Owner

STATE OF NEVADA)
):SS
COUNTY OF LYON)

This Partial Abandonment, Relinquishment and Termination of Easement Agreement was acknowledged before me on _____, 2024, by Neil E. McIntyre in his capacity of Mayor of the City of Fernley, Nevada.

Notary Public

STATE OF NEVADA)
):SS
COUNTY OF LYON)

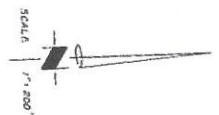
This Partial Abandonment, Relinquishment and Termination of Easement Agreement was acknowledged before me on _____, 2024, by Bruce Mull, Trustee of the M. Bruce Mull 2014 Revocable Trust.

Notary Public



- SIFT W. STEEL PIPE W/ PLASTIC CAP
STAMPED M.S. 2519
- o FWD #8" STEEL PIV W ALUM CAP
STAMPED M.S. 2571
- ◇ FWD G.L.O. BRASS CAP - SECTION COR
- ◇ FWD G.L.O. BRASS CAP - 1/6 COR.

NEVADA STATE COORDINATE SYSTEM - TRANSVERSE
MERCATOR GRID - WEST ZONE
GRID TO GRID FACTOR - 0.999745
ALL DISTANCES SHOWN ARE GRIDING
USED HIGHWAY M/N AS SHOWN - N+6° 55' 53" E



JOHNSON DEVELOPMENT CO

SHEET 1 of 1

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TSF-2857 RPTT \$49.50
APN 21-232-06
WHEN RECORDED MAIL TO:
P. O. Box 371
Fernley, Nv. 89408

D E E D

APN 21-232-06

THIS INDENTURE made this 21st day of October, 1990,
by and between JOHNSON DEVELOPMENT CO., a Nevada corporation,
hereinafter referred to as GRANTOR, and GEORGE MULL, doing
business as GEORGE MULL CONSTRUCTION, hereinafter referred to as
GRANTEE.

W I T N E S S E T H:

That the Grantor, for and in consideration of the sum of ten
dollars (\$10.00), lawful money on the United States of America,
to it in hand paid by the Grantee, receipt of which is hereby
acknowledged, does by these presents grant, bargain, sell and
convey unto Grantee, his heirs and assigns, all that certain real
property situate in the County of Lyon, State of Nevada, more
particularly described as follows, to-wit:

Please see Exhibit "A" attached hereto and by
reference made a part hereof.

TOGETHER WITH, all and singular, the tenements,
hereditaments and appurtenances thereunto belonging, or in
anywise appertaining, and the remainder and remainders, reversion
and reversions, rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises,
together with the appurtenances, unto the Grantee, his heirs and
assigns forever.

IN WITNESS WHEREOF, the Grantor has executed this deed the
day and year first hereinabove written.

JOHNSON DEVELOPMENT CO., A
Nevada Corporation

By

Dennis K. Johnson
DENNIS K. JOHNSON,
President

By

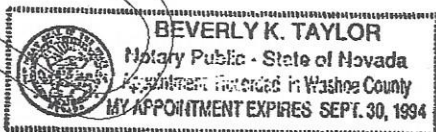
Wallace D. Stephens
WALLACE D. STEPHENS
Secretary

STATE OF NEVADA

: ss.

COUNTY OF WASHOE

On this 21st day of October, 1990, personally appeared
before me, a notary public, DENNIS K. JOHNSON and WALLACE D.
STEPHENS, authorized to sign for JOHNSON DEVELOPMENT CO., a
Nevada Corporation, who acknowledged that they executed the above
instrument on behalf of the corporation.



Beverly K. Taylor
Notary Public

STEPHENS, KNIGHT & EDWARDS
ATTORNEYS AT LAW
401 RYLAND STREET, SUITE 330
RENO, NV 89502-1679
702-788-5776

137069

EXHIBIT A
LEGAL DESCRIPTION
GEORGE MULL PROPERTY

Commencing at the Brass Cap at the south Quarter Corner of Section 7, T. 20, N., R. 25 E, thence East 667.93' along the South line of said Section 7; S 87° 47' 18" E to the True Point of Beginning; thence due North 377.88', thence N 10° 21' W 70.00', thence N 79° 39' E 220.52', thence S 10° 21' E 70.00, thence due South 425.88', thence N 87° 47' 18" W 217.09' to the True Point of Beginning; reserving therefrom the Northerly 70.00' for a road and utility easement and reserving along the Southerly 50.00' of said parcel a utility easement. Said parcel comprising a net 2.00 Acres excluding the Northerly road and utility easement.

137069

OFFICIAL RECORDS
LYCH COUNTY, NEV.

RECORD REQUESTED BY

Title Service & Escrow Co.

'90 OCT 30 PM 3 23

NANCY M. CARR

COUNTY RECORDER

FEB 20 2001 DEP



CITY OF FERNLEY

Planning Commission AGENDA REPORT

Meeting Date: August 14, 2024

REPORT TO: Fernley Planning Commission

REPORT FROM: Michele Rambo, Planning Director

FINANCIAL IMPACT:

Yes: No: X

CURRENTLY BUDGETED:

Yes: X No:

FUND/ACCOUNT:

N/A

ACTION REQUESTED: Receive/File

AGENDA ITEM:

Presentation by Kimley-Horn on the status of both the North Fernley and Southwest Fernley Area Plans.

AGENDA ITEM BRIEF:

Kimley-Horn will be presenting the current status of the Area Plans to the Planning Commission. This item was continued from the July 10, 2024 Planning Commission meeting.

RECOMMENDED MOTION:

N/A

BUSINESS IMPACT (per NRS Chapter 237):

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.

ALTERNATIVES:

N/A

BACKGROUND:

Kimley-Horn and City staff have been working on the development of the North Fernley and Southwest Fernley Area Plans for the past several months. A draft land use plan of the North Fernley Area Plan has been

completed and reviewed by property owners and other stakeholders of the area. Other portions of the plan documents are also underway with drafts expected to be done soon. Blake Young, the project manager for Kimley-Horn, will be presenting an update on the status of these Area Plans.

RELEVANT LAWS, STATUTES, AND REGULATIONS:

N/A

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

None



CITY OF FERNLEY

Planning Commission AGENDA REPORT

Meeting Date: August 14, 2024

REPORT TO: Fernley Planning Commission

REPORT FROM: Shay League

FINANCIAL IMPACT:

Yes: No: X

CURRENTLY BUDGETED:

Yes: No: X

FUND/ACCOUNT:

N/A

ACTION REQUESTED: Motion

AGENDA ITEM:

(For possible action) Discussion and possible action regarding a waiver application (WVR24001) to waive curb/gutter/sidewalk, parking, and landscaping development standards on a parcel zoned Neighborhood Commercial (C1), ±5,892-square-feet in size, and located at approximately 45 HWY 95A (APN: 020-041-57) within the downtown waiver area.

AGENDA ITEM BRIEF:

This parcel is a substandard development, meaning that it is legally nonconforming but does not comply with our current development code. Due to improvements required by the development code for any intensification of use as a result of the substandard development, the property owner is having difficulty finding an appropriate tenant for the space.

RECOMMENDED MOTION:

"I move to approve the waiver application associated with WVR24001 and adopt findings a through e as listed in the staff report. I further move to require the property owner to restore the previously landscaped areas to the approval of the Planning Director (or designee) within one year of this approval, or the waiver of development standards shall be forfeit."

BUSINESS IMPACT (per NRS Chapter 237):

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.

ALTERNATIVES:

Denial

"I move to deny the waiver application associated with WVR24001 because I am unable to make the following required finding(s):"

"I am unable to make finding _____ as it relates to _____. " (Repeat for each applicable finding.)

Note: Though no further language has been provided, all motions consistent with Planning Commission Bylaws and Rules of Procedure are appropriate.

BACKGROUND:

On July 3, 2024, Fernley City Council approved a new process that allows the waiver of certain development standards at the discretion of the Planning Commission. The intent of the new waiver process is to provide relief and flexibility in the development review process with respect to specific areas of Fernley that have significant constraints that hinder development/redevelopment. The three areas identified are downtown, the industrial park near Speedway Road, and industrial areas along Lyon, Salvadore, Resource, and Industrial Drives.

This building was last occupied by a realty company, which is categorized under the use "Office". That use requires 1 parking space per 800 square feet. Because this site is legally nonconforming, any use that requires more parking spaces than 1 per 800 square feet is considered an intensification, which triggers several prohibitively expensive improvements, to include curb/gutter/sidewalk along 95A, compliance with current landscape regulations, and the possible addition of parking spaces. Not only is the associated expense of concern to a small business owner, this lot is relatively small and does not appear to have enough room to meet current landscape and parking requirements.

The property owner has found a business owner interested in leasing this space to open a salon and portrait studio. Both are classified under the use "Personal Services" which is an intensification of the previous use because it requires 1 parking space per 300 square feet. Staff supports approval of this waiver to allow this site all uses in the C1 zone without the need to improve curb/gutter/sidewalk, parking, or add additional landscaping. Uses that require a conditional use permit in the C1 zone would still need to apply for a conditional use permit; however, an approved waiver would prevent the development requirements listed above from becoming conditions of approval.

The proposed use "Personal Services" is permitted in the C1 zone and does not require a conditional use permit. In this case, an approved waiver would allow staff to approve the business license without requiring the improvements listed.

FINDINGS:

a. There is evidence of circumstance beyond the reasonable control of the property owner such as:

1. Unusual size, shape, or topography of the site; and/or
2. Existing conditions on the site that make complying with the code impractical; and/or
3. The site is somehow legally nonconforming.

This finding can be made; the site is legally nonconforming. When the parcel was developed in 2009, it complied with all Fernley Municipal Code regulations at the time. Since then, our development code has been amended to require more landscaping, different parking ratios, and installation of curb/gutter/sidewalk on all adjacent streets. This parcel does not meet the current requirements of the Fernley Municipal Code.

b. The waiver does not impair the purpose of the zoning district.

This finding can be made. This site is zoned C1. The purpose of the C1 zoning district is as follows:

This district is intended to create and preserve areas for neighborhood commercial uses that are complementary to surrounding residential communities. Typical uses may include business and business parks

containing professional, medical, educational, financial and insurance services, and supportive commercial activities having related and compatible functions. This category is also intended to provide a transition or buffer between other more intensive and less intensive uses or between major highways and adjacent residential uses.

By allowing all uses permitted in the C1 zone, it supports the purpose of the zone rather than impairing it.

c. The waiver does not impact any fire, building, or health codes.

This finding can be made. Staff has verified that the requested waiver does not impact any fire, building, or health codes.

d. The waiver is consistent with the Master Plan.

This finding can be made. The Master Plan focuses largely on strategies to implement the Downtown Revitalization Study drafted in May of 2014. Unfortunately, mechanisms intended to assist the redevelopment of the downtown area (such as the redevelopment district) are no longer in place. While staff works to reconceive a strategy that includes the best practices for revitalization, keeping existing buildings occupied supports the intent of the Master Plan by preventing empty, neglected buildings that would further erode our downtown core.

e. The waiver is necessary to preserve a substantial property right enjoyed by surrounding properties.

This finding can be made. This waiver is necessary to preserve the property owner's right to lease this building for all uses permitted in the C1 zone.

RELEVANT LAWS, STATUTES, AND REGULATIONS:

General

[Nevada Revised Statutes \(NRS\) Chapter 278](#) - Planning and Zoning

[Fernley Municipal Code \(FMC\) Title 32](#) - Development Code

[City of Fernley Comprehensive Master Plan](#)

Specific

[Ordinance #2024-006](#) to create a process to waive certain development standards

[FMC Chapter 32.08](#) - Nonconformities

[FMC §32.09.090](#) - Development Standards, Landscaping and screening

[FMC §32.09.120](#) - Development Standards, Parking and loading

[FMC §32.09.140](#) - Development Standards, Streets (roadways)

Note: These links are for quick reference and are not all-inclusive. Planning Department will monitor these references through the August 14, 2024, Planning Commission meeting, but does not guarantee link operation or applicability after that date.

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

1. WVR24001 Vicinity Map

WVR24001

Waiver application to request relief from some landscaping, parking, and street improvements as required by FMC, Title 32.

Legend

 45 Highway 95A





CITY OF FERNLEY

Planning Commission AGENDA REPORT

Meeting Date: August 14, 2024

REPORT TO: Fernley Planning Commission

REPORT FROM: Shay League

FINANCIAL IMPACT:

Yes: No: X

CURRENTLY BUDGETED:

Yes: No: X

FUND/ACCOUNT:

N/A

ACTION REQUESTED: Motion

AGENDA ITEM:

(For possible action) Discussion and possible action to make a recommendation to Fernley City Council regarding Bill #354 as it pertains to a zoning map amendment (ZMA24003) submitted by Wood Rodgers on behalf of Douglass Development to request a zone change from Neighborhood Commercial (C1) to General Commercial (C2) on a parcel ±5.00-acres in size and generally located north of Farm District Road between Camille Drive and Jenny's Lane (APN: 020-351-08).

AGENDA ITEM BRIEF:

The designated land use for this parcel is Commercial (C). Both the current C1 and the proposed C2 are equivalent zoning districts of C; however, Neighborhood Commercial (C1) is the more appropriate zone for this parcel due to the surrounding existing residential uses.

RECOMMENDED MOTION:

Denial

"I move to recommend City Council deny Bill #354 and the zoning map amendment request associated with ZMA24003 because I am unable to make the required finding b. as set forth in the staff report."

BUSINESS IMPACT (per NRS Chapter 237):

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.

ALTERNATIVES:

Approval

"I move to recommend City Council adopt Bill #354 and approve the associated zoning map amendment, ZMA24003. I further move to adopt findings a and c as set forth in the staff report. Finally, I move to adopt finding b as it relates to consistency with surrounding land uses because _____."

Note: You may use all or a portion of the suggested language. Though no other language has been provided, all motions consistent with Fernley Planning Commission's Bylaws and Rules of Procedure are appropriate.

BACKGROUND:

In April 2005, City of Fernley staff approved a 10-acre project named "Farm District Commercial" that allowed the uses retail, office, and restaurant. Though infrastructure for this project was constructed east of Jenny's Lane at Farm District Road, the project was ultimately abandoned due to the recession of 2008. The initial project approval is long expired. The current applicant, Douglass Development, purchased this 5-acre portion of the former project in May of 2023; the remaining 5-acres of the former project are owned by a separate investor. All 10 acres of this former project, to include the applicant's 5-acre parcel, are zoned C1. The applicant is requesting to rezone their 5-acre parcel from C1 to C2. The land use designated in Fernley's Master Plan is Commercial (C).

Uses permitted in the C2 zone that are not permitted in the C1 zone are as follows: Halfway house, Bed and breakfast, Hotel/motel, Recreational vehicle park, Payday loan establishment, Title loan establishment, Pawnbroker, Call center, Bail bond services, Equipment sales and rentals, Travel center, Vehicle sales, Crematorium, Event center / banquet hall, Hospital, Medical marijuana establishment, Non-restricted gaming establishment, Major recreational facility, Data processing / hosting and related services (including data centers), Medical production, Craftwork production, Building and landscape materials supplier, Building maintenance services, Mini-warehouse (self storage), Outdoor storage, Heliport/miscellaneous air transportation, and Parking facility.

Uses that only require an administrative review (approved by staff) in the C2 zone versus a conditional use permit (approved by the Planning Commission) in the C1 zone are as follows: Overnight and/or outdoor animal services, Bar/lounge, Liquor store, Courier and messenger services, Maintenance and repair services, Light auto and truck repair, Car wash, Gas station, Vehicle rentals, Entertainment facility / theater, and Minor recreation facility.

The applicant has filed a conditional use permit for a mini-warehouse (self storage) facility concurrently with this zoning map amendment. Staff chose not to bring both applications forward to the Planning Commission at the same meeting because we are recommending denial of the zoning map amendment. Similarly, at this time, staff would also recommend denial of the conditional use permit based on inability to make the required conditional use permit finding that the use will be compatible with the existing or permitted uses of adjacent properties. Please refrain from discussing the specific use intended by the developer and instead consider all uses that this zone change could make possible on this parcel and help to support on neighboring parcels that bear a Commercial land use designation.

Should City Council determine that this zoning map amendment is consistent with surrounding land uses and approve it, then staff will bring the conditional use permit forward at the next scheduled Planning Commission meeting with a recommendation for approval. Should City Council determine that this zoning map amendment is inconsistent with surrounding land uses, and should the developer not choose to withdraw the conditional use permit at that juncture, then staff will bring the conditional use permit application forward with a recommendation for denial based on incompatibility with the existing/permitted uses of adjacent properties and noncompliance with the master plan. This land use decision, whether to allow a zoning map amendment to C2 when surrounded by residential uses, will inform staff decisions for all similar zoning map amendment requests moving forward.

FINDINGS:

a. Consistent with the city's master plan and otherwise consistent with state and federal law.

This finding can be made. The proposed zone (C2) is an equivalent zoning district of the master plan's Commercial (C) designated land use. The applicant suggests that the proposed zone change supports the master plan community goals and action strategies regarding Land Use (LU) listed below and staff concurs.

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

This would be infill development in an existing neighborhood. Adequate public services and facilities already exist in the area.

LU. 1.2 - Encourage new development to be in accordance with the Comprehensive Master Plan land use category.

As previously mentioned, the proposed C2 is an equivalent zoning designation of the C designated land use.

b. Consistent with the surrounding land uses.

This finding should not be made. The uses permitted in the C2 zone are generally incompatible with single-family and rural residential neighborhoods. The C2 zone should be limited to commercial land use designated sites that are adjacent to buffering uses such as neighborhood commercial or multi-family residential.

In Fernley Municipal Code, the concept of intensity refers to density of the use as well as the possibility for unwanted externalities such as noise generation, air pollution, traffic, and similar. To give an idea of scale, for all zones in Fernley (not just the ones permitted in the Commercial designation), Open Space and Parks is the zone considered least intensive and Industrial is the zone considered most intensive.

Here are some examples of uses permitted in C2 and why they are considered more intensive than those permitted in C1 :

- Data processing typically generates a lot of noise due to the equipment required to cool the servers stored in a data center.
- An event center can attract a large amount of traffic at one time and events often generate a lot of noise.
- A self-storage facility or vehicle sales are generally unattended, low-traffic uses that interrupt neighborhood connectivity. Pedestrians generally feel safer when neighboring commercial uses attract some traffic, rather than when neighboring uses receive almost zero use and are often empty.
- A crematorium may create air pollution and some residents may find death-related services uncomfortable near their residences.

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

This finding can be made. Staff certifies that public notice was given in accordance with Title 32 of Fernley Municipal Code and Nevada Revised Statutes for a public hearing to be held as part of the proceedings of the August 14, 2024, Planning Commission meeting. A public notice was placed in the July 28, 2024, edition of the Reno Gazette Journal and 71 individual letters were mailed to all homeowners and renters within a 500-foot radius of the subject parcel. Staff will also properly provide notice and hold a public meeting at the September 4, 2024, City Council meeting.

RELEVANT LAWS, STATUTES, AND REGULATIONS:

General

[Nevada Revised Statutes \(NRS\) Chapter 278](#) - Planning and Zoning
[Fernley Municipal Code \(FMC\) Title 32](#) - Development Code
[City of Fernley Comprehensive Master Plan](#)

Specific

[NRS §278.260](#) - Determination, establishment, enforcement and amendment of zoning regulations ...

[FMC §32.03.040](#)(e) - Zoning map amendments (rezoning)

[FMC §32.06.100](#) - Zoning Districts, Commercial (C1, C2, and TC)

[FMC §32.06.150](#) - Unlisted uses and use table

Note: These links are for quick reference and are not all-inclusive. Planning Department will monitor these references through the August 14, 2024, Planning Commission meeting, but does not guarantee link operation or applicability after that date.

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

1. Bill #354 for ZMA24003
2. Applicant Report
3. Traffic Generation Letter
4. Maps
5. Email to PC re: ZMA24003

When recorded, mail to:
City Clerk
City of Fernley
595 Silver Lace Boulevard
Fernley, NV 89408

BILL # 354
CITY OF FERNLEY
ORDINANCE # _____

A GENERAL ORDINANCE FOR A ZONING MAP AMENDMENT, ASSOCIATED WITH ZMA24003, TO CHANGE THE ZONING OF ±5.00-ACRES GENERALLY LOCATED NORTH OF FARM DISTRICT ROAD BETWEEN CAMILLE DRIVE AND JENNY'S LANE (APN: 020-251-08) FROM C1 (NEIGHBORHOOD COMMERCIAL TO C2 (GENERAL COMMERCIAL).

THE CITY COUNCIL OF THE CITY OF FERNLEY, hereinafter "the Council", DO HEREBY ORDAIN:

Section 1: The zoning of that certain real property totaling 5.00 acres, more or less, situated in the City of Fernley, Nevada, being more particularly described on Exhibit "A" attached hereto and depicted on "Exhibit A-1" attached hereto is hereby reclassified from C1 (Neighborhood Commercial) to C2 (General Commercial).

SECTION 2: The zoning map of the City of Fernley is hereby amended in accordance with the zoning map amendment herein.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: The City Clerk is instructed and authorized to publish the title to this ordinance as provided by law and to record the plan certified herein as provided by law.

SECTION 5: This ordinance shall become effective upon passage, approval, and publication.

SECTION 6: The provisions of this ordinance shall be liberally construed to effectively carry out its purposes in the interest of public health, safety, welfare and convenience.

SECTION 7: If any subsection, phrase, sentence or portion of this section is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

SECTION 8: The Council finds that this ordinance is not likely to impose a direct and significant economic burden upon a business or directly restrict the formation, operation or expansion of a business, or is otherwise exempt from Nevada Revised Statutes Chapter 237.

BILL # 354 BEING HEREBY PROPOSED this 21st day of August, 2024.

BILL # 354 BEING HEREBY PASSED, APPROVED and ADOPTED this 4th day of September, 2024, by the following vote of the Council:

Ayes: _____ Nays: _____ Abstentions: _____ Absent: _____

FERNLEY CITY COUNCIL

By: _____ Date: _____
Neal E. McIntyre, Mayor

Attest By: _____ Date: _____
Kim Swanson, City Clerk

EXHIBIT A
LEGAL DESCRIPTION FOR
APN: 020-351-08

All that certain real property within a portion of the Northeast One-Quarter (NE 1/4) of Section Nineteen (19), Township Twenty (20) North, Range twenty-five (25) East, M.D.M., City of Fernley, County of Lyon, State of Nevada, being Lot 1 as shown on the Official Map of "Flying Circle Ranch Estates" Subdivision Map No.39323, recorded August 2, 1978 filed in the Official Records of Lyon County, Nevada, being more particularly described as follows:

BEGINNING at the Northeasterly corner of said Lot 1, also being the Westerly right-of-way of Jennys Lane.

THENCE along said right-of-way South $01^{\circ}06'26''$ West a distance of 299.55 feet to the beginning of a tangent curve to the right;

THENCE 31.58 feet along the arc of a 20.00 foot radius curve to the left through a central angle of $90^{\circ}28'00''$ to the Northerly right-of-way of Farm District Road;

THENCE along said right-of-way North $88^{\circ}25'34''$ West a distance of 667.41 feet to the Westerly line of said Lot 1;

THENCE along said Westerly line North $01^{\circ}06'26''$ East a distance of 314.11 feet to the Southerly right-of-way of George Lane per the Parcel Map for "Michael & Claudia Casey", Parcel Map No. 184049, recorded on July 19, 1995, filed in said Official Records;

THENCE along said right-of-way South $88^{\circ}53'34''$ East a distance of 687.55 feet to the **POINT OF BEGINNING**.

Containing 5.00 acres of land, more or less.

See Exhibit A-1 attached hereto and made a part hereof.

The Basis of Bearings for this description is Nevada State Plane Coordinate System, West Zone, North American Datum of 1983/1994, High Accuracy Reference Network (NAD 83/94-HARN). All dimensions shown are ground distances. Grid To Ground Combined Factor = 1.000245

Prepared by:
Wood Rodgers, Inc.
1361 Corporate Blvd.
Reno, NV 89502

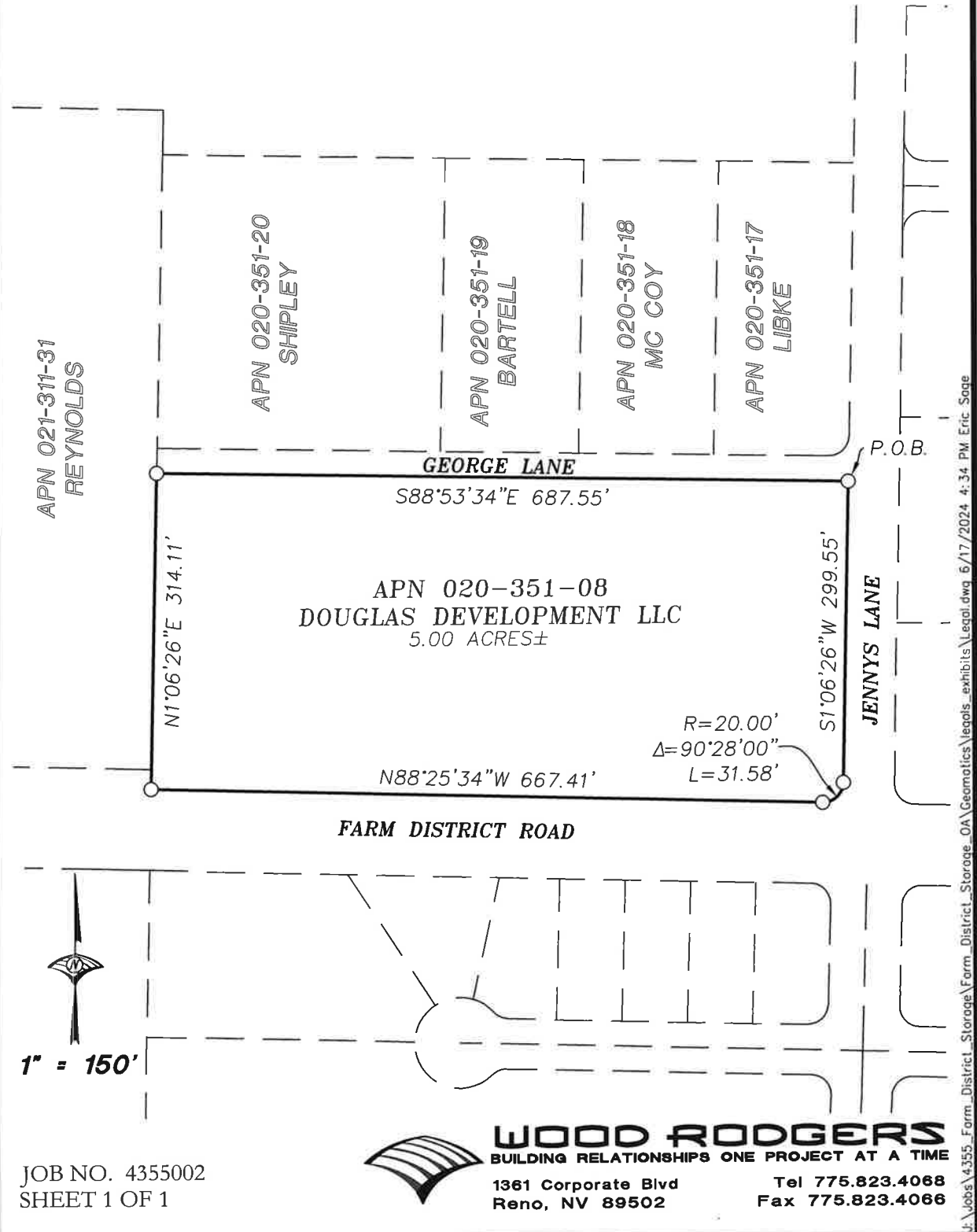


Eric C. Sage, P.L.S.
Nevada Certificate No. 23301

EXHIBIT A-1

PLAT TO ACCOMPANY

APN: 020-351-08
BEING A PORTION OF THE NE 1/4 OF SECTION 19
TOWNSHIP 20 NORTH, RANGE 25 EAST, M.D.M.
CITY OF FERNLEY LYON COUNTY NEVADA



PROJECT SUMMARY

Project Name:	Farm District Storage Zoning Map Amendment and Conditional Use Permit
Site Location:	The subject parcel is 5.0± acres in size located at the northwest corner of Farm District Road and Jennys Lane in Fernley, Nevada
APN Numbers:	020-351-08
Applicant:	Dan Douglass
Applicant's Representative:	Wood Rodgers, Inc.; Eric Hasty
Owner:	Douglass Development LLC
Proposed Action:	This is a request for: 1) A zoning map amendment on parcel APN 020-351-08 (±5.0 acres) from Neighborhood Commercial (C1) to General Commercial (C2), and 2) A Conditional Use Permit (CUP) for a ±95,633 square foot mini-warehouse/office facility
Land Use Classification:	Commercial (C)
Current Zoning:	C1
Proposed Zoning:	C2
Flood Zone Designation:	Zone X
Gross Site Area	5.0± acres

PROJECT ANALYSIS

Background and Existing Conditions

The 5.0± acre parcel (APN 020-351-08) is located at the northwest corner of Farm District Road and Jennys Lane (project site) on vacant land with utilities adjacent to the property. The subject site has been master planned and zoned commercial for the past two decades. The adjacent parcel to the east had an active commercial development at one point prior to the recession, and still has some improvements that remain on the site. Jennys Lane, located along the eastern boundary, is paved and will provide access into the site. George Lane is a dirt road to the north of the site and separates the site from existing residential (refer to Vicinity and Aerial Maps in Section 2 of this submittal packet). Fernley continues to see growth and specifically along Farm District Road there has been a recent increase in housing development. As the housing demand increases the need for personal storage also increases. Personal storage is typically a great commercial neighbor adjacent to residential given the low traffic generation, typically quiet facilities, and tend to be low impact compared to other commercial uses. Given their low impact, most jurisdictions allow them to be located in neighborhood commercial areas (C1 zoning equivalent in Fernley) similar to the project site. However, City of Fernley code limits their use to general commercial (C2) zoning with a Conditional Use Permit (CUP). As the project site is zoned C1, the applicant is providing both the zoning map amendment to C2 and the CUP for the proposed personal storage use.

Project Request

This application requests to:

- 1) Change the zoning of ±5.0 acres of APN 021-351-08 from Neighborhood Commercial (C1) to General Commercial (C2).
- 2) Approve a Conditional Use Permit (CUP) for a ±95,633 square foot mini-warehouse/office facility on APN 021-351-08.

Comprehensive Master Plan and Zoning Designations

The subject parcel has a Comprehensive Master Plan (Master Plan) designation of Commercial (C) and a zoning designation of Neighborhood Commercial (C1). The Master Plan designation of Commercial would allow for the proposed C2 as a compatible zoning designation. The proposed C2 zoning would allow the proposed personal storage facility included in the CUP portion of this application, which are less intense than some of the uses that are currently allowed within the C1 designation. The majority of higher intense uses in both C1 and C2 would require a CUP and given the surrounding area would require residential adjacency standards to be met. Therefore, the proposed C2 zoning would remain compatible with the other surrounding zoning designations (refer to Master Plan and Existing Zoning Map in Section 2 of this submittal packet).

Surrounding properties and uses	Current Zoning District	Comprehensive Plan Land Use Designation
North Single family detached	RR1	Single Family Residential (SFR)
West Single family detached	RR1	Single Family Residential (SFR)
East Vacant Commercial	C1	Commercial (C)
South Rural residential, single family detached subdivision	RR5, SF20, SF6	Single Family Residential (SFR)

Zoning Map Amendment Justification

The proposed zoning of C2 is allowed within the subject parcel's Master Plan designation of Commercial (C). The proposed change from C1 to C2 will maintain conformance with the Master Plan and will allow for the proposed personal storage facility in an area where adequate public services and facilities can be provided efficiently.

Most of the uses that would be allowed in the C2 zoning designation are already allowed in the current C1 zoning. While the C2 zoning will allow some additional commercial uses when compared to C1, most of these uses would not fit within the project site due to the size constraints and residential adjacency standards that would apply to the project site. Specifically, the residential adjacency standards, which include a one-foot setback for each foot in building height adjacent to a residential use applies to the north, and west boundary of the project site, which will limit the amount of developable land even further. Finally, a majority of the uses that are associated with the C2 zoning would require a Conditional Use Permit (CUP) prior to approval further ensuring that any future use would be compatible with the

surrounding uses. It should also be noted that there are some uses only allowed in the C2, such as personal storage, that are less intense than many of the uses permitted by right in the C1 zoning.

The proposed zoning map amendment is being submitted with the CUP request to allow a mini-warehouse/personal storage facility on the project site, and is further detailed below.

CONDITIONAL USE PERMIT ANALYSIS

Overview

The current request is to develop a personal storage facility with $\pm 94,433$ square feet of storage space enclosed within the personal storage buildings and one office building ($\pm 1,200$ square feet) with supporting on site improvements. Pending the proposed zoning map amendment, the regulatory zoning within the project site is General Commercial (C2) allowing for a personal storage facility with a CUP. There are no existing structures on the site. Proposed improvements include site access, drainage and grading improvements, and the extension of utilities including water, sewer and electric to the development from the adjacent roadways. Primary access to the site will be provided via gated entry from Jennys Lane, and gated emergency access will be provided from Farm District Road. All interior drive aisles will be a minimum of 24 feet wide.

As the proposed development will be adjacent to existing single-family residences to the north and west, the buildings will be screened according to the design standards of Section 32.06.100 of the Zoning Code. The facility will serve as a buffer between Farm District Road, an arterial roadway, and the residences to the north and west. The parcels east of the project site are undeveloped and zoned for commercial uses. The subdivision to the south is separated from the proposed project by Farm District Road and will be further screened by proposed landscaping along the project's street frontage.

Conditional Use Permit: Site Plan Design Standards

The site plan has been designed to comply with the standard requirements of the C2 zoning district (pending approval of zoning map amendment). The project parcel is greater than the required 6,000 square foot minimum lot size and 50-foot minimum lot width. All building heights and setbacks will conform with the development standards of the C2 zone.

Building Design

The proposed project includes a mix of $\pm 94,433$ square feet of personal storage space with varying sizes subject to change and a $\pm 1,200$ square foot office. There will not be a facility manager who lives on-site, the manager will only be present during office hours. The buildings along the southern boundary will be setback 45-feet from Farm District Road and the buildings along the eastern boundary are proposed to be setback 8-feet from the property line along Jennys Lane which is in accordance with the C2 zoning designations. The buildings along the north and west boundary are setback 10-feet from the property line to accommodate the residential adjacency setbacks which require one foot of setback for every one foot of building height adjacent to residential.

The buildings are proposed to be a mix of materials and colors that will meet the building design standards outlined in Section 20.02.007 of the Fernley Municipal Code. This will include a combination of horizontal, diagonal, and vertical articulation with a combination of popouts, staggered parapets,

horizontal and vertical wall offsets, use of different colors, and material/texture changes. The buildings along the project boundary will be blended with the perimeter fence and walls using similar materials and colors to create a cohesive look without the use of large blank unbroken walls. Conceptual renderings of the proposed buildings have been included with this submittal and are subject to change at final design:



Figure 1: Main Entrance Along Jenny's Lane



Figure 2: Aerial View Looking Northwest from Farm District Road and Jennys Lane

Grading

The project site is a ± 5.0 acre site that is vacant and undisturbed. The site is generally flat with a majority of the site has slopes less than 10%, therefore Section 32.09.130 does not apply. Site grading has been designed to protect the adjacent roadways and the existing residential properties to the west and north as well as direct sheet flow toward a retention pond in the south and northwest corner to capture onsite flows. All finish grad slopes are proposed to be less than 10% with the exception of the 3:1 slopes for the retention pond and grading down to the site from the road shoulder on Farm District Road to the property line which is proposed to be at a $\pm 20\%$ grade.

Drainage

Onsite drainage is proposed to slope to one of the two retention ponds proposed to the southeast along Farm District Road or to the northwest corner of the property. This includes a total of $\pm 12,390$ square feet between the two retention ponds. The site will have valley gutters within the drive isles to capture onsite flows and direct them to the retention ponds. Additional swales located within the landscape area along Farm District Road, and the north and western boundary will also direct onsite flows from the landscape areas to the valley gutters. The retention ponds will have 3:1 slopes and will blend with the landscape with a rock mulch ground cover (*refer to Section 4 of this Submittal Packet for the Preliminary Hydrology Letter*).

Water, Sewer, and Utilities

Overhead power lines and communications are present on north, south, and east property lines and are stubbed on-site at the proposed project entrance along Jennys Lane which will be extended into the site. An existing two-inch gas main is available on the west shoulder of Jennys Lane along the project site east property line as well as an existing four-inch gas main on the north shoulder of Farm District Road and can be extended into the site. Power is operated by NV Energy, natural gas by Southwest Gas, communications/cable TV/internet by Charter and AT&T.

Sanitary sewer exists on the north shoulder of Farm District Road adjacent to the south property line. Wastewater generated by the office is proposed to gravity flow to an exterior wet well with a grinder and sewage pump, which will route wastewater via low pressure force main to an existing gravity sewer manhole in Jennys Lane at its intersection with Farm District Road. Sewer will be provided by the City of Fernley.

Water is stubbed on-site at the proposed project entrance from an existing water main in Jennys Lane on the east property line. A domestic water meter and backflow assembly will be tapped from the existing water stub at the proposed site entrance and extended into the site. A reclaimed water main exists on the north shoulder of Farm District Road and an irrigation water meter and backflow assembly will be tapped from the existing water stub at the proposed site entrance. Water service will be provided by the City of Fernley. A Utility Site Plan and Preliminary Sewer Report identifying the extension and demand of all utilities has been included with this submittal (*reference the Site Plan and the Preliminary Sewer and Hydrology Letter in Section 4 of this Submittal Packet*).

Traffic and Circulation

The proposed access to the project is via Jennys Lane, an existing public street. The street extends north and south of Farm District Road, an arterial roadway immediately south of the project site. The intersection of Jennys Lane and Farm District Road has two-way stop control and marked crosswalks.

The main entry to the project site will be gated to provide security for the personal storage facility. Three parking spaces will be available outside of the gate for visitors, and one employee parking space will be provided inside the gated area. The gate will be setback 60-feet from Jennys Lane to allow for stacking while guests wait for the gate to open. Internal drive aisles range from a minimum of 24-feet wide to a maximum of 45-feet wide to provide sufficient space for vehicle movement. The perimeter lanes are a minimum of 30-feet wide, which will allow firetruck and emergency vehicle circulation on-site.

Pedestrian access will be provided by a sidewalk along Jennys Lane along the western boundary and will tie into the existing crosswalk which provides a pedestrian crosswalk across Jennys Lane to the east and then to a crosswalk across Farm District Road to the south and the existing multi-use path. No pedestrian sidewalk is proposed along Farm District Road since a multi-use path is provided along the southern boundary.

Traffic generated from the project is not anticipated to have a significant impact to the surrounding area including Jennys Lane or Farm District Road as personal storage facilities are very low traffic generators. A Trip Generation Letter was performed by a licensed Engineer as part of this request and is included in Section 4 of the application packet. The letter concludes that the proposed personal storage facility, which is one of the lowest traffic generating uses, is only anticipated to generate a total of 9 AM and 14 PM peak hour trips, with a total of 139 average daily trips. Traffic generation from this request is under the threshold required to trigger a traffic study and is anticipated to have minimal impact to the existing roadways which serve the proposed project.

Parking

As part of the CUP request, a parking reduction from the City of Fernley standard of 1 space per 2,000 square feet of building gross floor area is requested. The minimum parking required according to City of Fernley would require a total of 48 spaces, which is not reflective of the actual amount of parking typically required for a personal storage facility. When referring to the *ITE Parking Generation Manual (6th Edition)* the use of mini-warehouse, defines peak parking demand as 0.10 spaces per 1,000 square feet of gross floor area. For the project's proposed ±95,633 square feet of gross floor area, 10 parking spaces are required. The project proposes a total of 3 parking spaces near the office accessed from the front entrance. The remaining 7 parking spaces can be accommodated by allowing parking to occur in front of the storage units. The 24 to 45 foot wide drive aisles are able to accommodate a parallel parked vehicle for loading/unloading with enough width for another vehicle to maneuver around.

This design, along with the parking reduction using the minimum spaces when referring to the *ITE Parking Generation Manual*, will provide adequate parking for the proposed use even during peak use periods which are not anticipating more than 2-3 users at a time. Due to the nature of the use, a majority of the users will be accessing their personal storage units and will not need to utilize parking spaces in front of the office. The guest parking proposed in front of the office is intended for new customers or customers managing their accounts. Therefore, the proposed parking should be adequate and is typical for the amount of parking provided at similar facilities.

Landscaping

The project includes landscaping located along Farm District Road and Jennys Lane and a minimum 10-foot landscape strip along the north and western boundaries adjacent to residential that will provide trees to help screen the buildings and walls. All landscaping will be designed in accordance with City of Fernley Code requirements and will include drought-tolerant plants and street trees to encourage water-efficient irrigation.

Per Section 32.09.090 of the Zoning Code, a minimum of 15% of the site must be landscaped in the C2 zone. The project site is ± 5.0 acres, which means a minimum of 0.75 acres is required to be landscaped. The proposed site plan includes ± 0.89 acres of landscape area or 17.7% of the site and will exceed the minimum requirements. The Zoning Code requires a minimum of 1 street per 500 square feet, which means a total of 65 trees is required. Additionally, the Zoning Code requires 1 shade tree for every 7 parking spaces. The project is proposing 4 parking spaces which would require a total of 66 trees. A minimum 10-foot landscape strip is required between parking areas and street frontages. One tree shall be planted in each of these landscape strips for every 30 feet of street frontage.

Ground covering will be provided in all landscape areas per Zoning Code requirements. Ground covering may include living plants such as shrubs, turf grasses, vines, or other living ground covers. Decorative rock, pavers, mulch, decomposed granite, or other non-living materials may also be used. Non-permeable materials will not be used for more than 20 percent of the total landscape area, excluding areas of temporary coverage allowed for plants to reach maturity.

Buffering is required to provide landscaped separation and screening between residential and nonresidential uses. The project site borders residential uses to the north and west. The project is proposing a minimum 10-foot-wide landscape buffer along the northern and western boundary. Although this area has a portion of which will provide onsite detention, trees and shrubs will also be located within this buffer. Per the Zoning Code, buffering requirements include planting evergreen trees no further apart than 30 feet on center to help provide a visual barrier between the project and residential uses to the north and west.

Walls/Screening

The project will provide a solid wall/fence to screen the property from neighboring residential uses to the north and south and create privacy, consistent with Section 32.06.100 of the Zoning Code. The buildings located along property boundaries will be incorporated into the wall. The primary entrance and gated emergency access will be fenced with open view fencing. The applicant is proposing to use a metal type wall with panels varying in color and orientation to address the code for solid screening fence as depicted in the conceptual renderings above.

Signage

Any signage proposed in the future will conform with the sign standards found in Section 32.10 of the City of Fernley Zoning Code. It is anticipated small monument style signs and signage on the building would be provided near the front of the office and near the intersection of Farm District and Jenny's Lane.

Police and Fire Service

The project site is located in an area already served by police and fire services. Police services will be provided by the Lyon County Sheriff's Department and fire service will be provided by the North Lyon County Fire Protection District. The closest fully staffed fire station is the North Lyon County Fire Protection District Station 62, located approximately 2.5 miles east near the intersection of Red Rock Road and Farm District Road. The main access to the site where police and fire will enter the development is located on Jennys Lane. An additional emergency access point is accessible from Farm District Road.

Development Statistics Summary

The following is a summary of the development statistics of the site:

Total Site Area:..... ±5.0 acres
 Total Number of Buildings: 9 buildings (8 storage and 1 office)
 Lot Coverage: ±43.9%
 Total Building Square Footage: 95,633± square feet (43.9%)
 Storage Area: 94,433± square feet
 Office Area: 1,200± square feet
 Total Paving and Concrete: 76,710± square feet (35.2%)
 Storm Water Retention Pond: 12,390± square feet (5.7%)

 Minimum Landscape Area Required:..... 0.75 acres (15%)
 Total Landscape Area Proposed: 0.89± acres (17.7%)
 Minimum Parking Required: 10 spaces
 Total Parking Spaces: 3 visitor spaces + 7 parallel parking along drive
 isles

ZONING MAP AMENDMENT FINDINGS

A zoning map amendment is committed to the city council's legislative discretion.

1. The zoning map amendment may be approved if it is consistent with the city's Master Plan and otherwise consistent with state and federal law.

Response: The proposed zoning of C2 is allowed within the subject parcel's Master Plan designation of Commercial (C). Regardless of C1 or C2, residential adjacency will need to be addressed with a future project to ensure compatibility with the surrounding area. See the below excerpts and comments from the Master Plan demonstrating the alignment of the goals and policies to this zoning map amendment request.

Commercial Master Plan Policies

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

Comment:

Sewer, Water, and Utilities

Overhead power lines and communications are present on north, south, and east property lines and are stubbed on-site at the proposed project entrance along Jennys Lane which will be extended into the site. An existing two-inch gas main is available on the west shoulder of Jennys Lane along the project site east property line as well as an existing four-inch gas main on the north shoulder of Farm District Road and can be extended into the site. Power is operated by NV Energy, natural gas by Southwest Gas, communications/cable TV/internet by Charter and AT&T.

Sanitary sewer exists on the north shoulder of Farm District Road adjacent to the south property line. Wastewater generated by the office is proposed to gravity flow to an exterior wet well with a grinder and sewage pump, which will route wastewater via low pressure force main to an existing gravity sewer manhole in Jennys Lane at its intersection with Farm District Road. Sewer will be provided by the City of Fernley.

Water is stubbed on-site at the proposed project entrance from an existing water main in Jennys Lane on the east property line. A domestic water meter and backflow assembly will be tapped from the existing water stub at the proposed site entrance and extended into the site. A reclaimed water main exists on the north shoulder of Farm District Road and an irrigation water meter and backflow assembly will be tapped from the existing water stub at the proposed site entrance. Water service will be provided by the City of Fernley. A Utility Site Plan and Preliminary Sewer Report identifying the extension and demand of all utilities has been included with this submittal (reference the Map Pocket of this Submittal Packet).

Schools

The proposed project will not result in new student generation.

Police and Fire Service

The project site is located in an area already served by police and fire services for commercial uses. Police services will be provided by the Lyon County Sheriff's Department and fire service will be provided by the North Lyon County Fire Protection District. The closest fully staffed fire station is the North Lyon County Fire Protection District Station 62, located approximately 2.5 miles east near the intersection of Red Rock Road and Farm District Road. The proposed emergency access is located on Farm District Road.

LU.1.2 Encourage new development to be in accordance with the Comprehensive Master Plan land use category.

Comment: The subject parcel has a Master Plan designation of Commercial (C). The proposed zoning designation (C2) is in conformance with the land use category. The proposed development will provide a new business to serve local residents and is located in an area with excellent connectivity and access to existing municipal services and amenities.

2. The zoning map amendment may be approved if it is consistent with the surrounding land uses.

Response: The subject parcel is located immediately adjacent to C1 zoning to the east, which could be developed in the future with similar intensity as the proposed C2. The proposed personal storage use is less intense than other potential uses allowed by right in the existing C1 zone. City of Fernley only allows personal storage facilities in the C2 zoning designation. Regardless of C1 or C2 zoning a future project in either would be subject to residential adjacency to ensure compatibility with the surrounding land uses. The proposed zoning map amendment will facilitate the addition of a new commercial business to serve local residents and promote development within the existing community of Fernley. It is consistent with the Master Plan designation and fulfills goals and policies for future growth in the community.

3. The zoning map amendment may be approved if public notice was given, and a public hearing held per the requirements of the development code and Nevada Revised Statutes.

Response: Throughout the entitlement process, the applicant will follow all requirements of the development code and Nevada Revised Statutes for noticing the public, holding meetings, and attending public hearings.

Conditional Use Permit Findings**1. The approving agency must make findings that the proposed conditional use will be in compliance with the Master Plan.****Response:**

This project proposes a C2 zoning designation, which is in conformance with the Master Plan Commercial (C) designation assigned to the site.

2. The conditional use will be compatible with the existing or permitted uses of adjacent properties.

Response:

The proposed personal storage facility is compatible with the surrounding residential and commercial land uses on adjacent properties. The proposed use will not generate excessive noise or traffic. The buildings will be screened from neighboring properties, and landscaping along Farm District Road will provide an additional buffer between the subdivision to the south and the proposed project.

- 3. The potential impairment of natural resources and the total population which the available natural resources will support without unreasonable impairment.**

Response:

The proposed project is not anticipated to generate significant demand on natural resources. The project's site is in an area surrounded by development and is considered infill. The site has been previously disturbed and there are existing utilities adjacent to the property and will be extended into the site.

- 4. The availability of and need for affordable housing in the community, including affordable housing that is accessible to persons with disabilities.**

Response:

The proposed project does not include a residential component. The parcel is designated for commercial use, and the proposed development is commercial.

- 5. The conditional use permits impacts have been conditioned to address identified impacts.**

Response:

The site has been designed to meet all applicable City of Fernley Municipal Code standards as described above. The applicant understands that further conditions may be added to address identified impacts.

- 6. Public notice has been given and a public hearing held per the requirements of the development code and the Nevada Revised Statutes.**

Response:

Throughout the entitlement process, the applicant will follow all requirements of the development code and Nevada Revised Statutes for noticing the public, holding meetings, and attending public hearings.

Memorandum



WOOD RODGERS
BUILDING RELATIONSHIPS ONE PROJECT AT A TIME

To: Dan Douglass
Douglass Development, LLC
11050 Vincent Lane
Reno, NV 89511

From: Pranesh Tarikere, PE
Bryan Gant, PE

Date: June 18, 2024

Subject: Vaquero Storage Trip Generation Analysis

INTRODUCTION

This memorandum has been prepared to present the results of Trip Generation Analysis performed for the proposed 95,633 square foot mini-warehouse (Project). The results of the analysis include an estimate of the weekday daily, AM peak hour, and PM peak hour trips anticipated to be generated by the Project.

PROJECT DESCRIPTION

The Project consists of a 95,633 square foot (sf) self-storage facility, identified as a mini-warehouse under the City of Fernley Municipal Code, located at the northwest corner of the Jennys Lane & Farm District Road intersection in the City of Fernley (City) in Lyon County, Nevada. The Project includes construction of a new 94,433 sf storage area and 1,200 sf office area.

Access to the project will be provided via full access gated driveway on N Jennys Lane on the east via Farm District Road or right only gated exit driveway on Farm District Road on the south.

A Project site plan is included at the end of this memorandum as **Attachment A**.

TRIP GENERATION ANALYSIS

ITE TRIP GENERATION

Trip generation rates from the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition, with Mini-Warehouse (ITE Code 151) rates used for the Project.

Trip generation rates based on ITE are summarized in **Table 1**.

Table 1. Project Trip Generation Rates

Land Use ¹	ITE Code	Units	Daily	AM Peak Hour			PM Peak Hour		
				In	Out	Rate	In	Out	Rate
Mini-Warehouse	151	KSF ²	1.45	59%	41%	0.09	47%	53%	0.15
<i>Notes:</i> ¹ Trip rates are based on ITE Trip Generation Manual (11th Edition) average rates. ² KSF = 1,000 square feet									

Applying these rates, the trips anticipated to be generated by the Project are summarized in **Table 2**.

Table 2. Project Trip Generation Summary

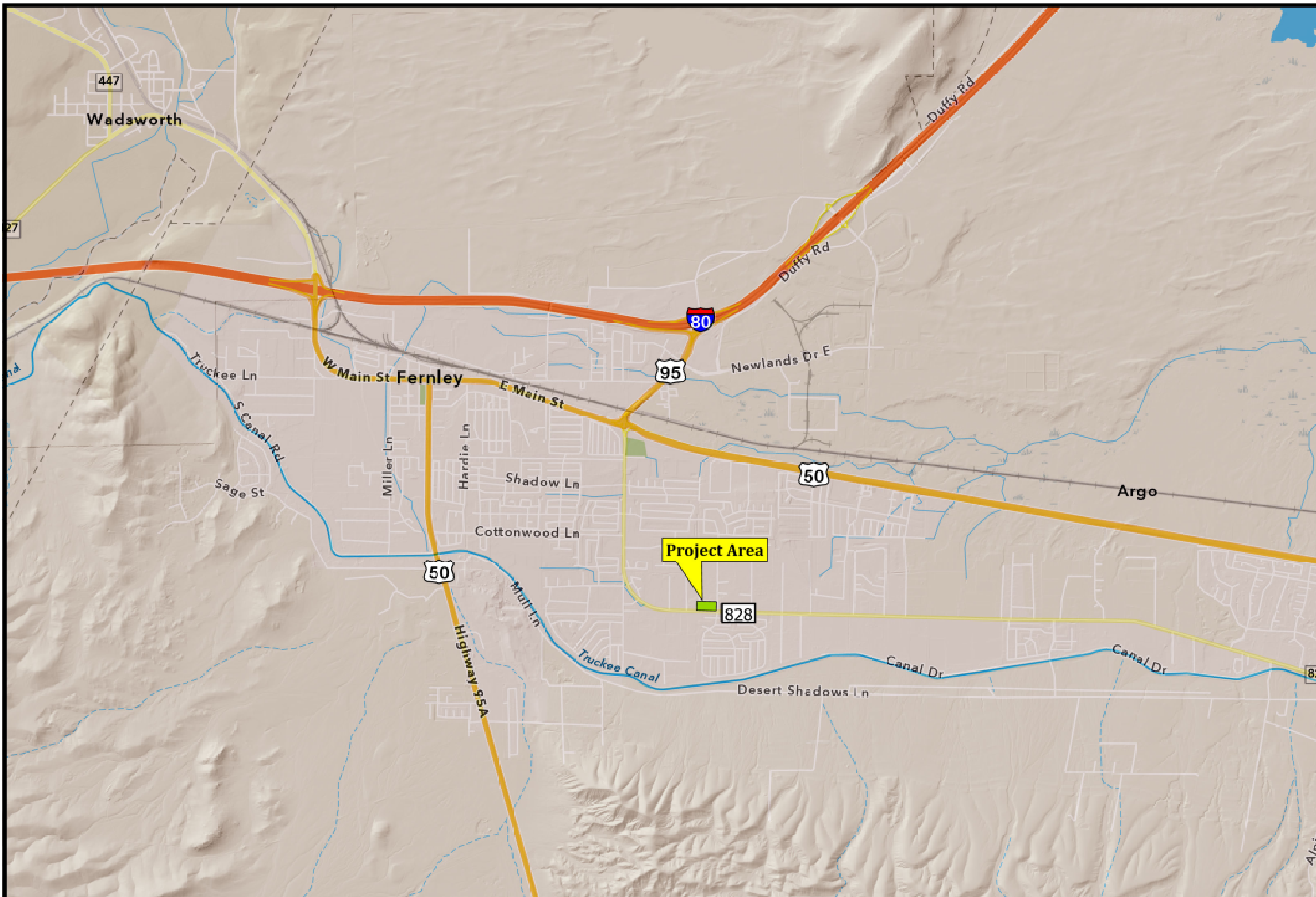
Land Use	Quantity	Units	Daily	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
Mini-Warehouse	113.47	KSF ²	139	5	4	9	7	7	14
Total Primary Trips			139	5	4	9	7	7	14
<i>Notes:</i> ¹ Trip generation estimates are calculated based on ITE Trip Generation Manual (11th Edition) average rates. ² KSF = 1,000 square feet									

The Project is expected to generate a total of 139 daily trips with 9 AM peak hour trips (5 Inbound, 4 Outbound) and 14 PM peak hour trips (7 Inbound, 7 Outbound).

The trips generated by the Project is not significant and not anticipated to create new traffic impacts to the adjacent street network.

ATTACHMENTS:

Attachment A: Project Site Plan





Vicinity Map
Vaquero Storage
June 2024



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BUILDING RELATIONSHIPS ONE PROJECT AT A TIME
1361 Corporate Boulevard
Reno, NV 89902
Tel: 775.823.4068
Fax: 775.823.4066



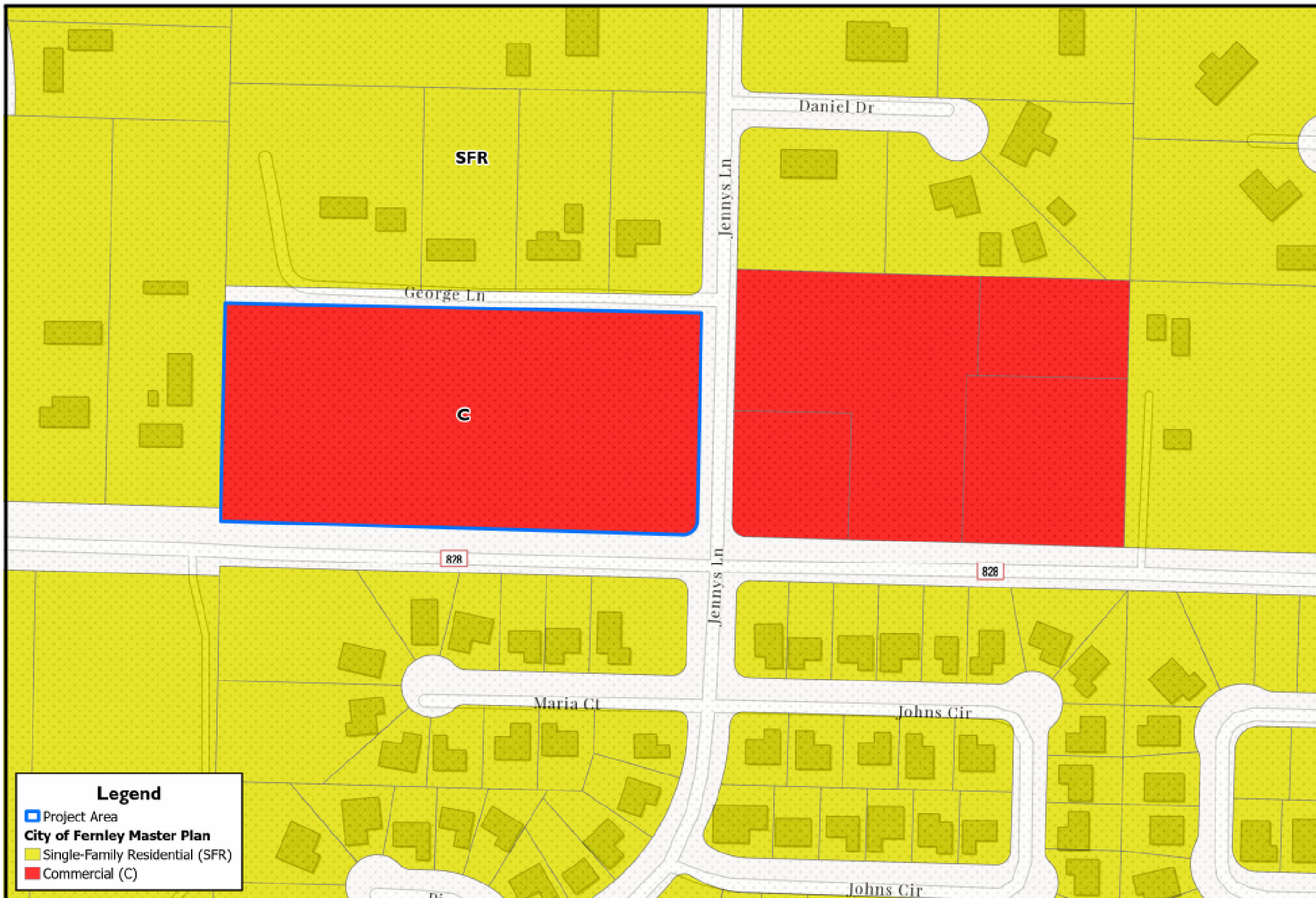

0 105 210
Feet

Aerial Map

Vaquero Storage

June 2024


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Master Plan **Vaquero Storage** **June 2024**

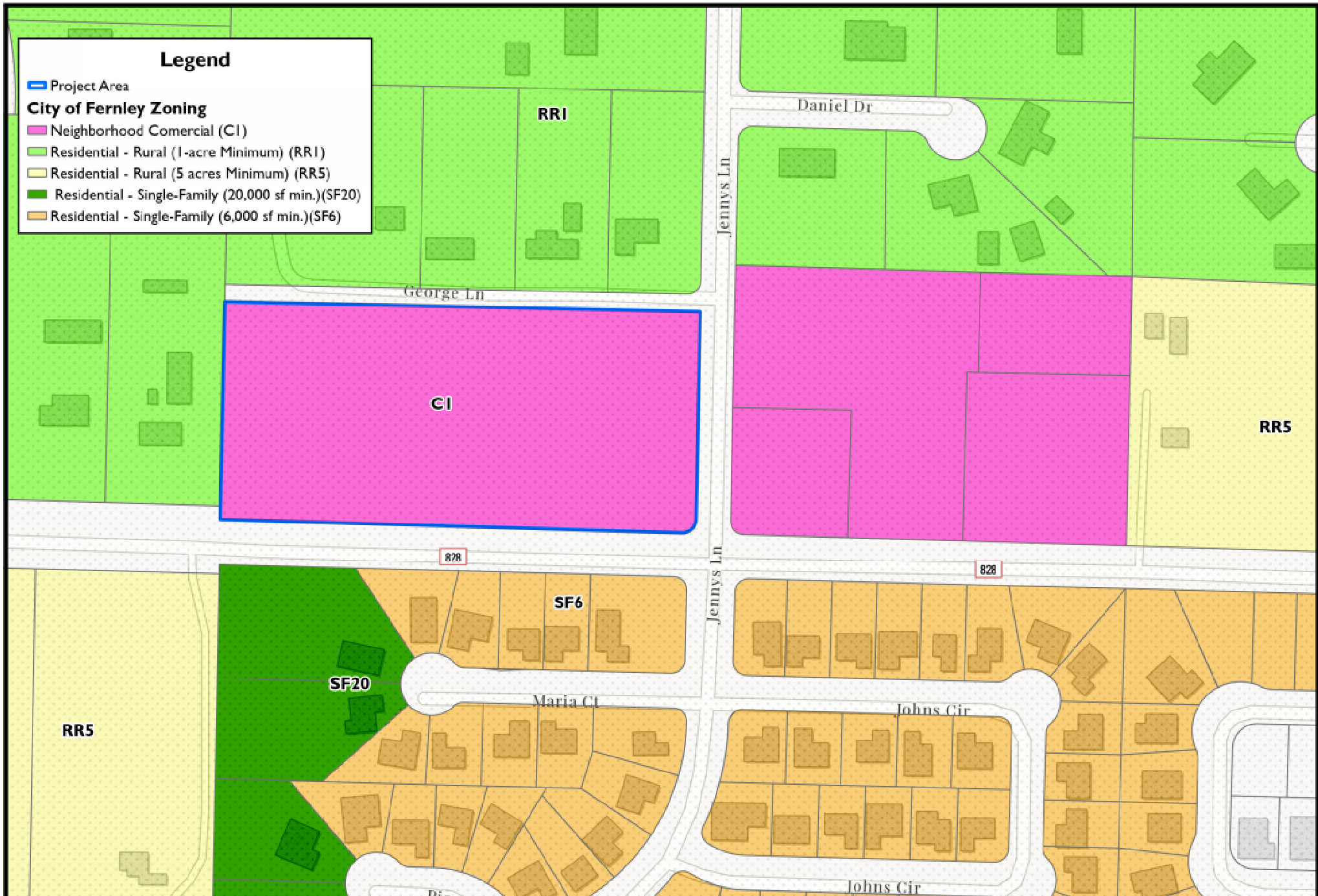
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Legend

 Project Area

City of Fernley Zoning

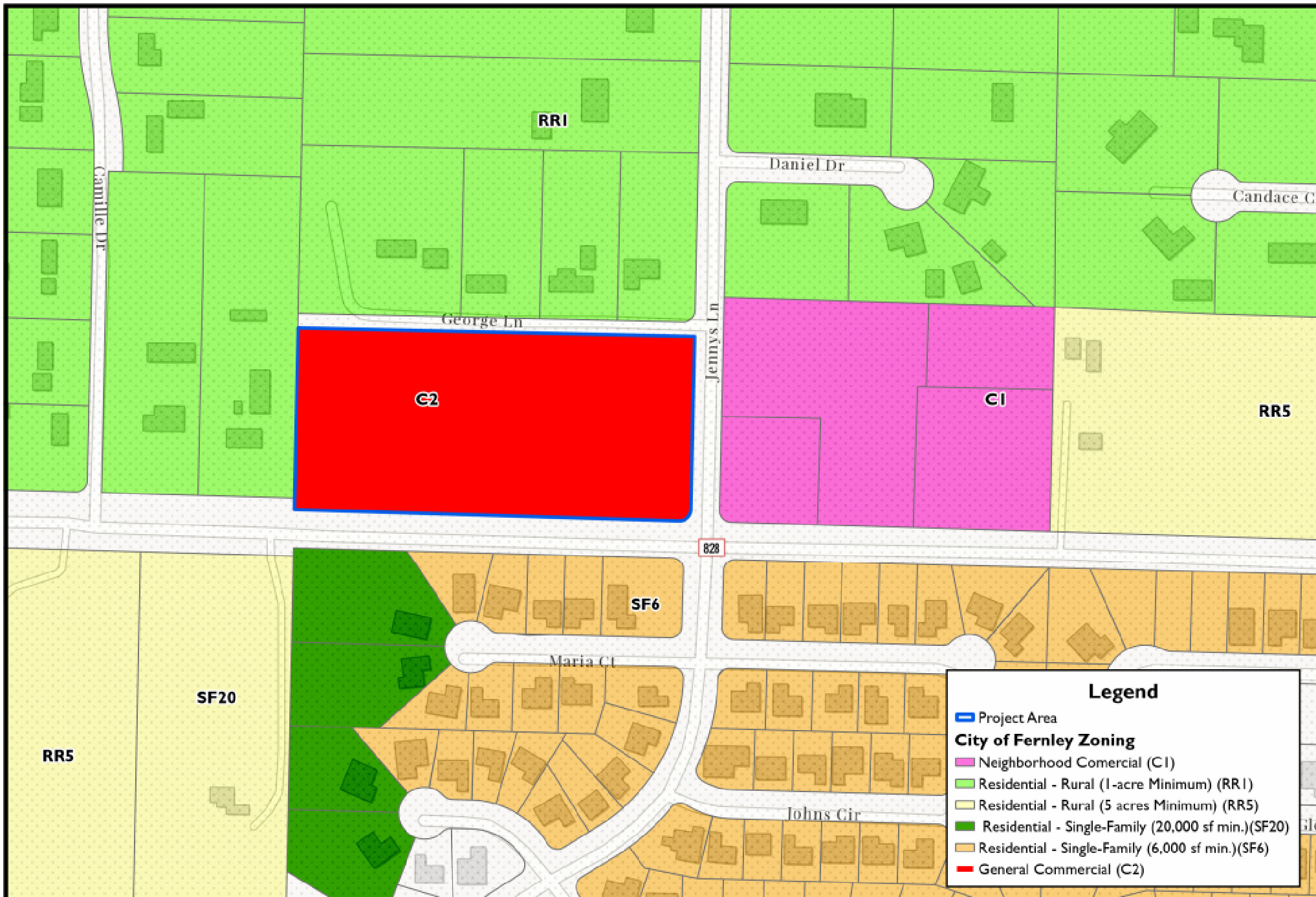
-  Neighborhood Commercial (CI)
-  Residential - Rural (1-acre Minimum) (RR1)
-  Residential - Rural (5 acres Minimum) (RR5)
-  Residential - Single-Family (20,000 sf min.)(SF20)
-  Residential - Single-Family (6,000 sf min.)(SF6)



Existing Zoning Vaquero Storage June 2024



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Proposed Zoning

Vaquero Storage

June 2024



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- Legend**
- Warehouse Building
 - Building Office
 - Landscape
 - Asphalt
 - Sidewalk/Valley Gutter
 - Retention Pond

Vaquero Storage Illustrative

Zoning Map Amendment and CUP

June 2024



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VAQUERO STORAGE - CONDITIONAL USE PERMIT

SITE PLAN

DOUGLAS DEVELOPMENT, LLC

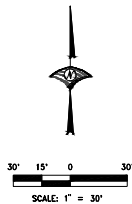
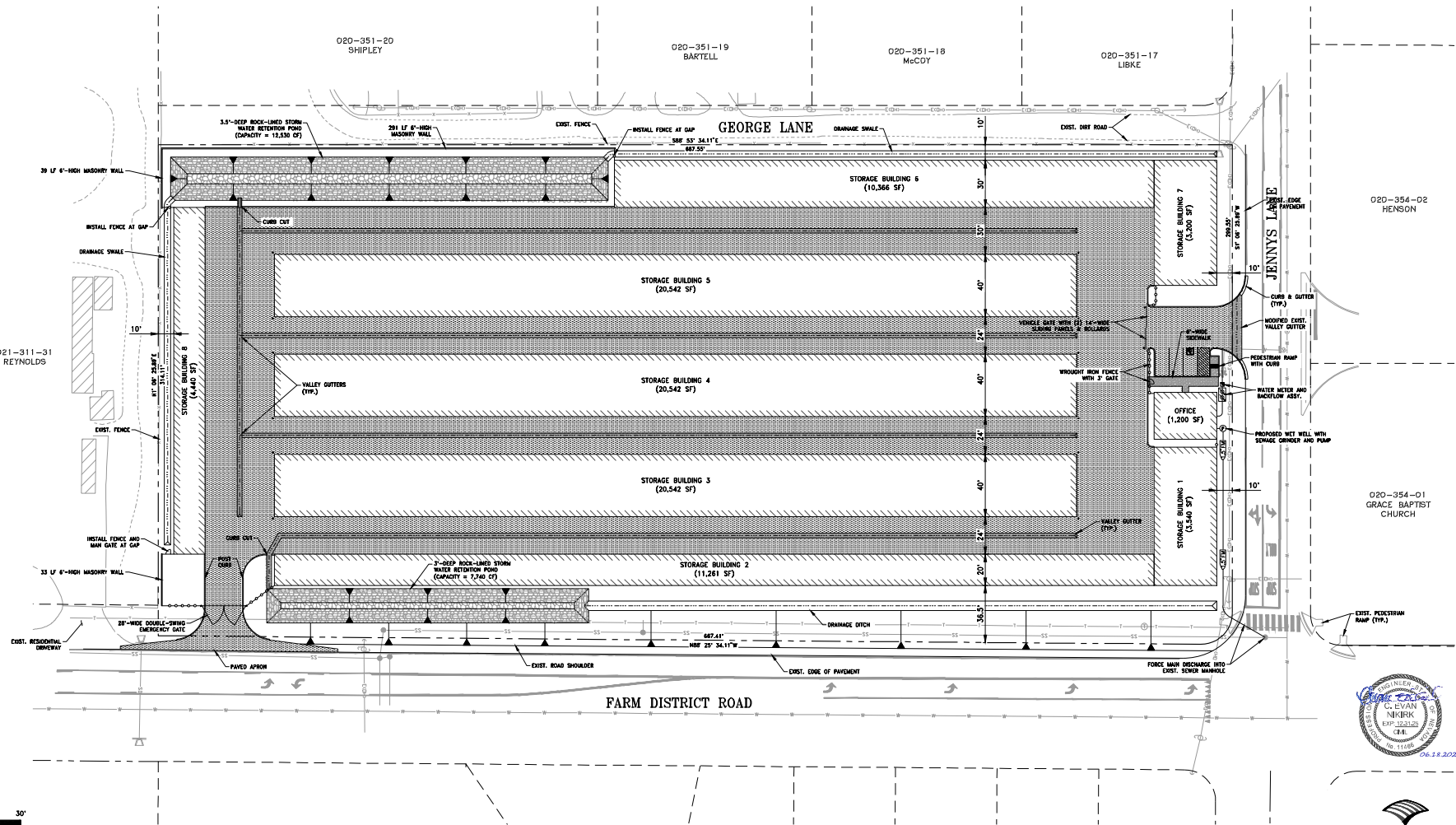
FERNLEY

NEVADA

JUNE 2024

FARM DISTRICT STORAGE ZMA / CUP

WOOD RODGERS ENGINEERS & ARCHITECTS, PLLC
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VAQUERO STORAGE - CONDITIONAL USE PERMIT

EXISTING CONDITIONS

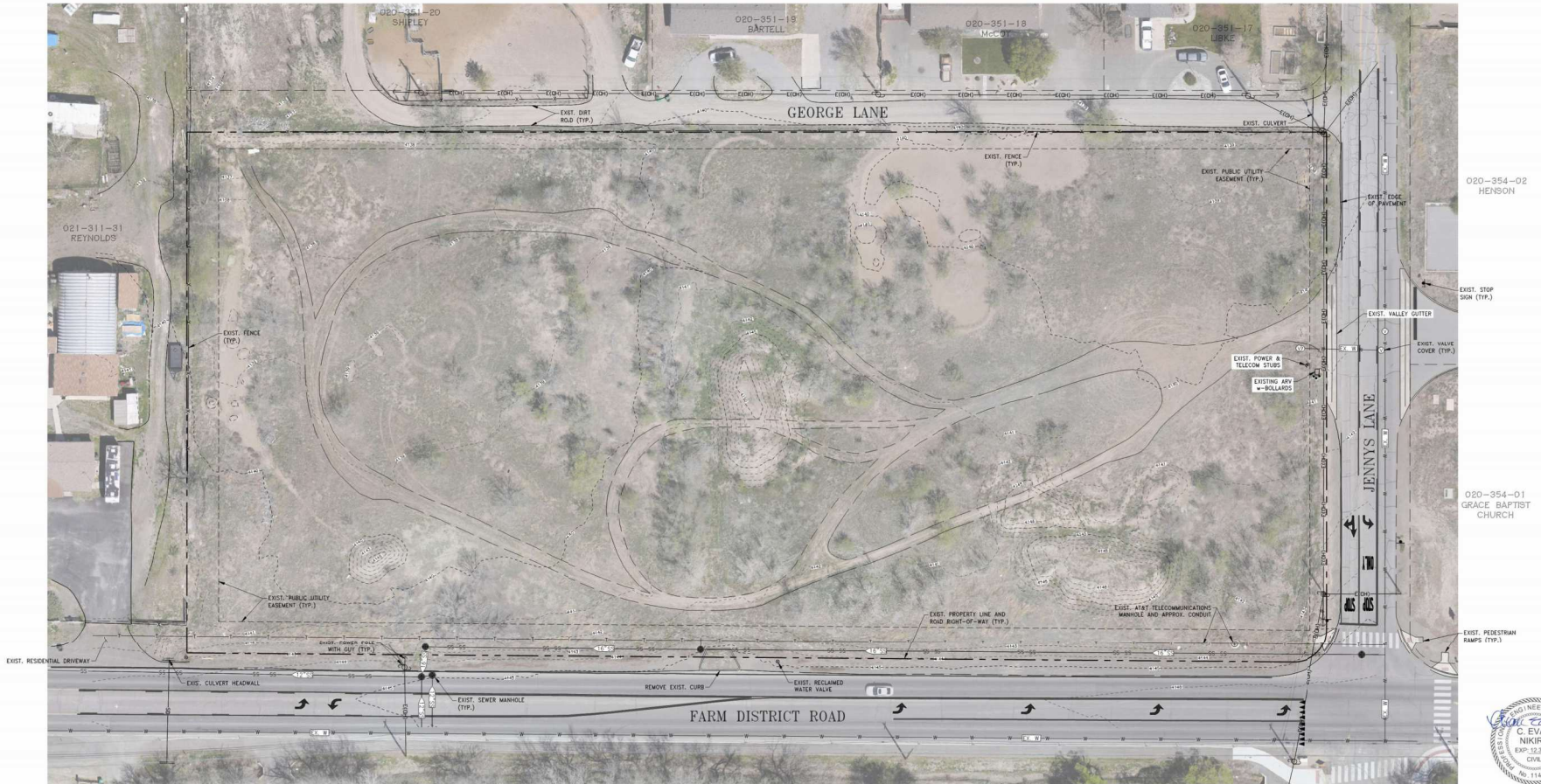
DOUGLAS DEVELOPMENT, LLC

FERNLEY

NEVADA

JUNE 2024

FARM DISTRICT STORAGE ZMA / CUP



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TOPOGRAPHIC BASE MAP PREPARED BY WOOD RODGERS, INC. (RENO, NV). AERIAL PHOTOGRAPHY DATED APRIL 22, 2024.

From: Sue Huber <shuber7617@yahoo.com>

Sent: Friday, August 2, 2024 8:22 AM

To: Jenni McCullar <jmccullar@cityoffernley.org>; Jacob VanderHeiden <jvanderheiden@cityoffernley.org>; Angela Lewis <alewis@cityoffernley.org>; Cody Wagner <cwagner@cityoffernley.org>; Robert Flores <rflores@cityoffernley.org>; Barry Williams Sr <bwilliamssr@cityoffernley.org>; Tessa Garvin <tgarvin@cityoffernley.org>

Subject: rezoning

Dear Panning Department,

I am NOT in favor of rezoning the area of Farm District Road and Jennys lane. I don't want the traffic or the noise from industrial complexes. We have an approved road to go around the town in the east so let's build out there.

Sue Huber
Fernley,NV

Direct email to Planning Commission, not formally public comment.