FPC Meeting Date: August 12, 2020

You are invited to the Fernley Planning Commission Zoom webinar.

When: Aug 12, 2020 05:00 PM Pacific Time (US and Canada)

Please click the link below to join the webinar:

https://us02web.zoom.us/j/84371402024?pwd=WmtmRlJDVnIzYUtPdkhRd3krZIY1QT09

Passcode: 009782 Or iPhone one-tap:

US:+13462487799,84371402024#,,,,0#,009782# or +1669909128,,84371402024#,,,,0#,009782#

Or Telephone: Dial (for higher quality, dial a number based on your current location):

US: +1 346 248 7799 or +1 669 900 9128 or +1 253 215 8782 or +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592

Webinar ID: 843 7140 2024 Passcode: 009782

International numbers available: https://us02web.zoom.us/u/kuDqalcm

Public Notice: Pursuant to Section 3 of the Declaration of Emergency Directive 006 the requirement contained in NRS 241.023(1)(b) that there be a physical location designated for meetings of public bodies where members of the public are permitted to attend and participate has been suspended until further notice. Also suspended in Section 3 of Directive 006, are the requirements contained in NRS 241.020(4)(a) that public notice agendas be posted at physical locations within the State of Nevada. To view the entire Declaration of Emergency Directive 006 please visit gov.nv.gov

The Chairman reserves the right to hear agenda items out of order, combine two or more agenda items for consideration, or 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.

Time Certain: Time certain designates a definite time for the start time of that item. The time certain item may NOT begin earlier than the designated time certain. It may begin later than the designated time, but not earlier.

5:00 p.m. OPEN MEETING – PLEDGE OF ALLEGIANCE
1. ROLL CALL

2. PUBLIC FORUM

This is the portion of the meeting devoted to the Public. The Public may comment on any matter that is not specifically included on the agenda as an action item. Items not specifically included on this agenda cannot be acted upon other than to place them on a future agenda. After completing and submitting a Public Comment card, the Mayor will call upon you to come forward to the podium. Please state your name and address for the record. In consideration of other citizens, we ask that you please limit your comments to three (3) minutes and that repetition be avoided.

Online Public Comments can be submitted by phone prior to 4:00 pm the day of the meeting. Public Comments can also be submitted prior to, and during the meeting at CITYCLERK@CITYOFFERNLEY.ORG. All comments received prior to adjournment will be considered and read into record unless City Council has already taken action on the item. All comments received are public record and will be included as part of the permanent record.

3. APPROVAL OF THE AGENDA

4. (POSSIBLE ACTION) APPROVAL OF MINUTES

Documents:

2020.07.08 FPC MINUTES .PDF

5. PUBLIC HEARINGS
   a. Discussion with Planning Commission & Staff
   b. Public Input
   c. Additional Discussion with Planning Commission & Staff
   d. Commission Action or Direction to Staff

5.1. Public Hearing, ZMA20003 (FOR POSSIBLE ACTION)
Consideration and possible action on a Zoning Map Amendment request from Vertex Fund 1 LLC, to change the zoning on a site comprised of nine parcels totaling approximately 33.23 acres generally located north of Fremont Street, south of U.S. Interstate 80, west of Granada Street & Wildwood Drive, and east of Vine Street, Fernley, NV.

1. To change the zoning on a ± 7.08 acre parcel from SF6 (Single Family 6000 sq. ft.) to MDR14 (Medium Density Residential 14 du/ac max). (APN: 020-516-06)
2. To change the zoning on seven parcels totaling ± 24.09 acres from SF12 (Single Family 12,000 Sq. ft.) to MDR14 (Medium Density Residential 14 du/ac max). (APNs: 021-092-23, 021-092-26, 021-092-27, 021-092-46, 021-092-47, 021-092-54, 021-092-55)
3. To change the zoning on a ± 2.06 acre parcel from RR1 (Rural Residential 1 acre) to MDR14 (Medium Density Residential 14 du/ac max). (APN: 021-092-05)

Documents:

ZMA20003 - PC STAFF REPORT.PDF
ATTACHMENT 1 - VICINITY MAP.PDF
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. 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.)

8. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS.

9. PUBLIC FORUM

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ADJOURNMENT.

This notice and agenda is being posted before 9:00 a.m., 08/07/2020 in accordance with NRS 241.020 at the following locations: www.cityoffernley.org, https://notice.nv.gov; North Lyon County Fire Protection District, 195 E Main Street; Senior Citizen’s Center, 1170 W. Newlands Drive; Fernley Post Office 315 E Main Street; and Fernley City Hall, 595 Silver Lace Blvd. To obtain supporting material for this agenda please visit the City of Fernley website at www.cityoffernley.org or contact Kim Swanson, City Clerk, inside City Hall at 595 Silver Lace Blvd, Fernley, NV 89408, email city clerk@cityoffernley.org or call (775) 784-9830. Notice to persons with disabilities: Members of the public who are disabled and require special assistance or accommodations at the meeting are requested to notify Fernley City Hall, at least 24 hours in advance at (775) 784-9830 or email city clerk@cityoffernley.org.
Fernley Planning Commission

Meeting Minutes

July 08, 2020

Chairman Jan Hodges called the meeting to order at 5:04 p.m. at Fernley City Hall, 595 Silver Lace Blvd, Fernley, NV.

1. Roll Call.
Present: Chairman Jan Hodges, Commissioner Paul Unterbrink, Commissioner Angela Lewis, Commissioner Jenni McCullar, Commissioner Cody Wagner, Commissioner Barry Williams Sr., Commissioner Felicity Zoberski, Planning Director Tim Thompson, Deputy City Attorney Brent Kolvet, City Clerk Kim Swanson, Administrative Specialist April Homme, Deputy City Clerk Brenda Gosser.

2. PUBLIC INPUT.
Planning Director Tim Thompson clarified this portion of public comment was only related to comments regarding the agenda and general comments. Any items unrelated would be heard at the time of the open item.

3. APPROVAL OF THE AGENDA
Motion: MOVE TO APPROVE AGENDA, Action: Approve, Moved by Commissioner Felicity Zoberski, Seconded by Commissioner Cody Wagner. Vote: Motion carried by unanimous roll call vote (summary: Yes = 7). Yes: Commissioner Angela Lewis, Commissioner Barry Williams Sr., Commissioner Cody Wagner, Commissioner Felicity Zoberski, Commissioner Jenni McCullar, Commissioner Paul Unterbrink, Chairman Jan Hodges.

4. (Possible Action) Approval of Minutes
Motion: MOVE TO APPROVE MINUTES FEBRUARY 12th, 2020, Action: Approve, Moved by Commissioner Angela Lewis. Seconded by Commissioner Felicity Zoberski, Vote: Motion carried by unanimous roll call vote (summary: Yes = 7). Yes:
Commissioner Angela Lewis, Commissioner Barry Williams Sr., Commissioner Cody Wagner, Commissioner Felicity Zoberski, Commissioner Jenni McCullar, Commissioner Paul Unterbrink, Chairman Jan Hodges.

5. PUBLIC HEARINGS
a. Discussion with Planning Commission & Staff
b. Public Input
c. Additional Discussion with Planning Commission & Staff
d. Commission Action or Direction to Staff

5.1. Public Hearing, ZMA20001 (FOR POSSIBLE ACTION)
Consideration and possible action on a Zoning Map Amendment request from Relief Springs, LLC Series C for a site consisting of three parcels totaling ±129.94 acres in size generally located south of Main Street, east of Stock Lane, west of Miller Lane, and north of the existing Miller Meadows Subdivision, Fernley, NV.

1. To change the zoning or two parcels totaling ±95.30 acres from SF12 (Single-Family Residential, 12,000 sq. ft minimum lot size) to SF6 (Single-Family Residential, 6,000 sq. ft minimum lot size). (APN's 021-041-07 and 021-041-10)
2. To change the zoning on a ±34.64-acre parcel from SF12 and C1 to MDR14 (Medium Density Residential, 14 dwelling units per acre). (APN 021-041-08)

Chairman Jan Hodges called for any disclaimers.

Commissioner Felicity Zoberski, disclosed she is currently running for City Council and resides in the ward that this ZMA impacts however, this will not influence her decision.

Planning Director Tim Thompson presented this item using the attached power point presentation regarding the proposed ZMA20001. The north parcel is currently master planned mixed residential, and the applicant is proposing to change the zoning to conform with the City’s Masterplan. The other two parcels to the south and west are currently master planned for single family. Mr. Thompson noted that the east piece is not a part of this zoning proposal it is most likely that the bulk of the Miller Lane improvement would be subject to review and approval with a project of that adjacent property later.
Mr. Thompson concluded staff is recommending this be forwarded for recommendation to the City Council for approval.

Commissioner Cody Wagner asked if this would still have to go through a tentative map and approval from the Commission.

Mr. Thompson confirmed the Planning Commission and City Council would need to give approval for the project tentative map.

Commissioner Felicity Zoberski asked what kind of preventative measures the developers are required to take regarding the flood plain and earthquake fault line running through the parcels.

Mr. Thompson stated that the developer would have to potentially submit Geotech reports and most likely be required submit a map revision through FEMA.

Chairman Jan Hodges voiced his concerns about the traffic flow and signage.

Mr. Thompson replied that there are no current plans for a stoplight or controls. The applicant would have to provide a traffic analysis. He stated Main street is an NDOT owned road and upon review of the traffic analysis NDOT would be the entity to provide direction.

Derick Kirkland with Wood Rodgers presented the attached power point presentation. He gave a synopsis of the previously approved Jackson Ranch Development and tentative map from 2004. Mr. Kirkland stated the previously approved Jackson Ranch Development had smaller lots than what the current applicant is proposing. Mr. Kirkland continued the presentation and stated the applicant was not asking for anything that had not already been approved previously. Mr. Kirkland spoke in detail regarding the buffering requirements that would be provided with this project and mentioned that one of the community comments was a request for incorporating a community park. Mr. Kirkland stated Wood Rodgers has had discussions with the school district and the need to increase school capacity and other conditions that will be part of the tentative map stage.
and to move forward the zoning change must first be approved. Mr. Kirkland stated they would like to bring the community in at the tentative map state and the comments they have heard would be incorporated at that phase.

Chairman Hodges asked for clarification regarding the Jackson Ranch approval in 2004. Mr. Thompson confirmed that the planned development and tentative map were approved, however nothing was recorded, therefore the tentative map had expired.

Mr. Thompson Planning Director provided details and clarification that the commission was only voting on the zoning at this time not the tentative map.

Commissioner Felicity Zoberski voiced her concerns about the public not being able to attend. She requested on open meeting so that public concerns could be addressed.

**PUBLIC INPUT.**

LeRoy Goodman, Fernley resident, submitted a Public Comment that was read into the record (see attached)

Robert C. Bannon, Miller Meadows Homeowners Association, submitted a Public Comment that was read into the record (see attached)

Trisha Starkey, Fernley resident, submitted a Public Comment that was read into the record (see attached)

T. Brown a 40-year Fernley resident, T. Miller a 40-year Fernley resident, and Cheryl Fogarty a 30-year Fernley resident all submitted a Public Comment that was read into the record (see attached)

Gary and Janette Peirson, Fernley residents, submitted a Public Comment that was read into the record (see attached)

David and Marjorie Casipit, Fernley residents, submitted a Public Comment that was read into the record (see attached)
Doug Menozi, Fernley resident, submitted a Public Comment that was read into the record (see attached)

Ray Lowery, Fernley resident, submitted a Public Comment that was read into the record (see attached)

Valerie Stare, Fernley resident, submitted a Public Comment that was read into the record (see attached)

Stan Gibbons, Fernley resident, submitted a Public Comment that was read into the record (see attached)

Tasha Lowery, Fernley resident, submitted a Public Comment that was read into the record (see attached)

Bill Meyer, Fernley resident, submitted a Public Comment that was read into the record (see attached)

Commissioner Cody Wagner requested to discuss the comments and stated on record the commissioners were aware of the public concerns and comments and these concerns would be addressed at the tentative map stage.

Commissioner Felicity Zoberski requested this motion be tabled.

Planning Director Tim Thompson answered commissioners’ questions.

Deputy City Attorney Brent Kolvet provided clarification and stated the conditions and permanency would take place at the tentative map approval stage.

**Motion:** MOVE TO FORWARD A RECOMMENDATION OF APPROVAL TO THE CITY COUNCIL OF THE ZONING MAP AMENDMENT ASSOCIATED WITH ZMA20001 BASED ON FINDINGS A THROUGH C AND THE FACTS SUPPORTING THOSE FINDINGS AS SET FORTH IN THE STAFF REPORT. **Action:** Approve, **Moved by** Board Member Cody Wagner, Seconded by Commissioner Paul Unterbrink. Roll call vote requested. **Vote:** Motion carried by roll call vote (summary: No = 3, Chairman Jan Hodges, Commissioner
Hi! I am requesting that any action concerning the Zoning Map Amendment for Parcels APN 021-041-07, 10 and 08 be postponed until the resident of Fernley can attend this meeting in person. There is certainly no rush to act on this at this time. The Commission has not met since February 12, 2020 and now is now the time to hear such an important matter to the residents of Fernley. This seems to be an end run to push a matter through without proper input from the public. There are too many important issues to be vetted concerning this property. Please postpone this matter until Fernley residents can attend in person to hear the pros and cons of the Zoning Amendment. Thank you, LeRoy Goodman, resident of Fernley. I am available to talk with any of you at your pleasure. I am a 'good neighbor'
To: Kimberly Swanson City Clerk  
From: Miller Meadows Homeowners Association  

The homeowners in Miller Meadows are very concerned about this proposed project. There are many questions that must be addressed before any decisions are made regarding zoning changes. These questions cannot be answered via email and must be taken up in an open meeting that we can attend. This cannot be done until the City Hall reopens and we are allowed public review and comments.

We request that this matter be continued until an open meeting can be held.

Some of our concerns are as follows:

- Multiple water drainage problems
- Road access problems
- Increased traffic on Miller Lane
- Property value impact on lots and homes in our subdivision
- Sound abatement problems

Please take these matters into consideration and table this meeting until we can have a public question and answer session when City Hall reopens.

Thank you in advance.

Sincerely,

Robert C. Bannon

Robert C. Bannon  
President  
Miller Meadows Homeowners Association
To City of Fernley,

My neighbors and I received the notice of the zoning map amendment for the Jackson Ranch property and we are not in favor of approving additional density on this parcel. I am a homeowner in this area as well as a local farmer and business owner and I have broken my questions and comments into different sections and topics.

Public meeting:
I think this item should be heard at an actual public meeting. The notice we were given indicated that the public would not be allowed to attend the meeting due to the Covid-19 regulations; this is unacceptable for such a large decision that will impact the entire west end of Fernley. We are expected to email in our comments and then stream the meeting to hear answers to our comments. How do we provide follow up comments or questions that come up during the meeting? I am able to do send in emails and stream the meeting but my neighbors are all over the age of 70 and not able to send in an email or live stream the meeting. They would prefer to attend the meeting in person and see what is being proposed but they are not allowed to. You are asking them to come to City Hall to view the application so why not allow them to attend a public meeting? Bars and restaurants are open with limitations and masks are mandatory in public areas this meeting should not be closed to the public. Can this be delayed so that an actual public hearing can be held?

Density:
My first question regarding the project is how many total units this project is proposing? The number of units is not found anywhere in the notification to the residents or the application. I assume this is because putting a number to a zone change would alarm too many people into responding. The applicant should be required to have a range of units so existing residents can have an idea of what they are proposing to construct as well as what types of housing/apartments.

Also, which areas are changing from 12,000 square foot lots to 6,000 square foot lots? Where will the highest densities be located?

Infrastructure:
Who will be responsible for installing all of the infrastructure to support this density? What will be the impact to traffic on Main Street? What is the impact to our schools and other public services? If this is approved, I don't believe the City should pay for any part of its construction and no tax breaks should be given to make it cheaper for the developer to construct their own project. The City of Fernley needs every bit of revenue it can get to provide much needed services to the residents of Fernley and not rich land developers.

Property values:
I am very concerned with the impact this development will have on me and my neighbor's property values. Constructing at this density will mean that we will be living next to Fernley's newest version of the Donner Trails Subdivision. This will undoubtedly have a negative impact on my property values and will affect my ability to sell my home. Buyers of a house and larger piece of property like mine are looking to get away from congestion and density and now that congestion will be right next door. Traffic will obviously increase in the area and the crime rates will also increase with the higher density development. This will strain the already understaffed Sheriff's department and our schools will be even more overcrowded. Basically all aspects of public service will be further diminished by allowing this much density. Any decent selling point for my home or any home in our area will be erased by this
project. I'm sure the developer will make a point to say that the increased taxes from the new homes will help to pay for these additional services. However, we have all seen that simply does not happen in Fernley with the tax structure we have to work with and the lack of consolidated tax funding.

Water Issues:
Further development increases our demand for groundwater in Fernley. Our home is on a well and we worry about waking up and not having water every day. Encouraging density without a plan to supplement the City wells or groundwater is a recipe for disaster. In addition to development, domestic well owners have to worry about the lining of the canal as well. How is the City working to ensure that its domestic well owners have water security in the future? Will this project be required to install water lines to the west so that well owners who are losing groundwater to development may have access to City water?

Agriculture in Fernley:
As a business owner of a farm-based business in Fernley, I worry that my business, and way of life, are being pushed out of Fernley with projects like this. More density only leads to more complaints from my new suburban neighbors about the sights and sounds of rural farm life. How will this development blend into the surrounding neighborhoods both visually and in terms of lifestyle? What will happen when one of the new homeowner's dogs escapes and comes into our neighborhood which is filled with various livestock? People who choose to live in this area understand how bad of a situation that can be but someone who lives in a high density subdivision does not understand about rural lifestyle or farming or raising livestock so it will only lead to misunderstanding and confrontation. The City's Development code states that zoning map amendments should be consistent with the surrounding land uses and I would like to know how the developer intends to make this project fit with the surrounding land uses and lifestyles.

Thank you for your time,

The new and longtime residents of Woodchuck Drive
To: Fernley Planning Dept. 
cityclerk@city.fernley.nv.org
Re: ZMA 20001 Zoning Request Changes

for Parcels APN 21-041-014 APN 21-041-10
& APN 21-041-08

We are owners & residents for over 30 years.
This is not compatible with our properties
This would devalue our property values.
Miller Farm is already over used by
nearly subdivisions of infrastructure
is substandard and not Maintained.
We feel building over an earthquake
fault is Poor Planning.
Our Aquifer has been disrupted
by over building, high density in our
area, causing street loss, causing expense
to owners.
We are opposed to this request for
Changes to the above parcels.

T. Bowen
400 Miller LN
FERNLEY, NV
40 yr. Owner/Resident

T. Miller
400 Miller LN
FERNLEY, NV
40 yr. Owner/Resident

C. Miller
370 Miller LN
FERNLEY, NV 89408
30 years
Requested to be read at the Planning Commission Meeting  
City of Fernley  
July 8, 2020  

Regarding: Zoning Map Amendment Request. APN 021-041-07 and APN 021-041-10

To Whom It Concerns:

As residents of the area being proposed for high density growth (6,000 square foot lots) we want to express our concern for the consequences of this zoning change. In 1987 our goal in choosing our location of 890 Carol Way was to live in a semi-rural area. This zoning change would greatly impact our way of life as well as the City of Fernley.

The following is a summary of the impact this zoning change would have:

Traffic in the area – This area’s outlet is on to Main Street where traffic is regularly at a standstill. Increased traffic would cause congestion that would be dangerous at best in this location.

Ascetics – This proposed growth would definitely change the current appeal, as well as property values of the area. This semi-rural area also enhances the appeal of the City of Fernley.

Water – Currently the City of Fernley, as well as properties with private wells, benefit from the summer irrigation of the land replenishing ground water. Eliminating this ground water would reduce water for the City and local wells.

Infrastructure –

Schools are currently either at capacity or crowded. A high-density growth in the area would add to the school population and create even more crowding.

Fire and police are also under pressure now to serve the current population. This high-density growth would put more stress on both the fire and police agencies.
Roads will have increased traffic issues at all heavily used locations in Fernley.

Water and sewer plants are currently strained to supply existing hook-ups in Fernley. The proposed high-density growth would definitely impact these resources.

If new residential growth is planned for the area, the current model that is present in the area is one or two acre lots. If a greater density is planned, we feel that the lots should be no less than 12,000 square feet and a complete sound wall along Stock Lane should be required with no outlets onto Stock Lane.

Thank you for your consideration,

Gary Pierson

Janette S. Pierson
Email - Kimberly Swanson

Please leave me a message

Your Name*: DAVID & MARJORIE CASIPIT
Your email address: dcasipit@sbcglobal.net
Subject: Zoning amendment at 525 W Main St
Message: Increasing the population to a point of medium density has only resulted in a more transient condition from historical precedence, this type of building strategy has produced neighborhoods with increased potential for more community reliance on public assistance. The nature of the quality of the city diminishes its character and denigrates to a less desirable living atmosphere for its present citizens. Please do not allow this fine community to deteriorate. Although an increased population indicates city growth, it has its negative growth results. Existing property character diminishes in its condition and value. Roads in the area are already greatly needing repair. Money increases made by decreasing the space per unit occupancy is not necessarily a prudent substitution. Please do not let this project continue.

* indicates required fields.

View any uploaded files by signing in and then proceeding to the link below:
http://www.cityoffernley.org/Admin/FormHistory.aspx?SID=5421

The following form was submitted via your website: Email - Kimberly Swanson

Your Name: DAVID & MARJORIE CASIPIT
Your email address: dcasipit@sbcglobal.net
Subject: Zoning amendment at 525 W Main St
Message: Increasing the population to a point of medium density has only resulted in a more transient condition from historical precedence, this type of building strategy has produced neighborhoods with increased potential for more community reliance on public assistance. The nature of the quality of the city diminishes its character and denigrates to a less desirable living atmosphere for its present citizens. Please do not allow this fine community to deteriorate. Although an increased population indicates city growth, it has its negative growth results. Existing property character diminishes in its condition and value. Roads in the area are already greatly needing repair. Money increases made by decreasing the space per unit occupancy is not necessarily a prudent substitution. Please do not let this project continue.
Brenda Gosser

From: Doug Menozi <dougmenozi@gmail.com>
Sent: Tuesday, July 7, 2020 9:04 PM
To: City Clerk
Subject: Rezoning

To whom it may concern,

We are against the rezoning of APN 021-041-07 and APN 021-041-10. We moved to this area precisely for its low population density. Naturally we would disapprove of a proposal that would greatly increase the population density around our home after we had bought it. The shrinking of the acceptable lot sizes for the dwellings will also decrease the average value of the dwellings that are built on them. Not to mention it would increase the amount of traffic on Miller street, which is already in disrepair. So in conclusion, like most people, we disapprove of a move that would lower the values of the dwellings around our property, increase the population density (negating a reason for our move here), and would speed up the deterioration of a road already in need of repair.
Comments:

7/07/2020

To City Council,

My name is Ray Lowrey and I’m submitting this letter to ask you to deny lowering the lot size for ZMA 20001.

I’m concerned in many ways of what this will do to my property values as well as the additional traffic brought into our neighborhoods. We are a rural neighborhood soon to be the last in Fernley.

With the additional homes, I’m worried about the liability of other peoples’ children walking our streets. We have livestock that draws children’s attention. We irrigate our field with open ditches and the children can drowned in them.

I would also like to see no connecting roads to our subdivision.

The traffic down Miller Lane for people to get to the high school will be extremely dangerous. Be prepared to pull kids out of the canal. The roads will not handle the flow of this additional traffic.

Respectfully submitted,

Ray Lowrey
Affected Parcel Owner
July 8, 2020

To be read at the Planning Commission Meeting
City of Fernley
July 8, 2020

Regarding: Zoning Map Amendment Request, APN 021-041-07 and APN 021-041-10

To Whom It Concerns;

In reading the proposed changes to the above referenced amendment, I want to publicly notify the City of Fernley, Planning Commission that I object to reducing the size of the building lots in this plan.

Traffic was going to be a problem with the original plan. I can see by increasing the number of lots we are also going to increase the traffic issue.

Adding more people to this area by increasing the number of single-family homes and adding apartments is not a reasonable plan for the 126 acres.

In any case if this property is developed, hopefully with ranch style homes, it would be best if the Planning Commission required a large sound wall along Stock Lane with no openings to the west. It would be requested that the wall be one of the first items to be built on the property.

Thank you for adding these concerns to the minutes of this meeting.

Valerie Stare
Date: June 28, 2020
To: cityclerk@cityoffernley.org
Topic: Notice of public hearing
Subject: ZMA20001

Title: Disenfranchising Fernley Citizens.

It is my opinion that neighboring Fernley citizens will be left out of this important ZMA20001 hearing process and ultimately be disenfranchised based on the governments/city leaders making the decision that “In-person attendance is not available as of the date of this notice.”

Writing comments such as this or making a phone call prior to this proposed meeting is an unacceptable option to many Fernley citizens that could rethink their position if they were attending an open public meeting. There are people who choose not to engage in virtual meeting technologies or to compose written comments or make a phone call. These open public meetings laws are in place as an option for a fair outlet for citizen involvement and should always be looked upon as a priority.

The Governments response to Covid-19 has put the burden and expense to many Americans at great cost and sacrifice. To help maintain a healthy relationship of trust between city leaders and the citizens of Fernley, I am requesting a postponement of ZMA20001 hearings for such a time the city can resume regular open meetings.

I will continue to canvas neighboring citizens on this subject and confirm that my opinions are shared and not totally bias.

Final words: This is an important area of land in that it will be one of the first areas people will see entering Fernley. This land is one of the few large areas left on main street to be developed and should be well thought out between the citizens and city officials before development. What is the long-term theme of Fernley? How do the decisions of today enhance the visions of tomorrow?

Please consider my request to postpone ZMA20001 hearings until Fernley citizens can have an active role participating in an open meeting so there will be accountability for both the citizens and city leaders.

Regards,

Stan Gibbons
303 Avocet Crt.
Fernley, NV 89408
775.560.3479
Comments for Public Hearing:

July 8, 2020

Planning Commission & City Council,

“Change is inevitable”, wise planned growth for our community is essential. Regarding the Notice of Public Hearing, I am not in favor of the amendment to change the zoning on the APN(s) 021-041-07, 021-041-10 & 021-041-08. The acreage was already reduced to 12,000 sq. ft. in 2004.

Per the new Redevelopment Plan, this is listed as the historical area of Fernley. These smaller lots sizes are in contradiction to this plan.

Our water resources are domestic wells on the west side of Fernley. These additional homes will be drying up our water along with the surface water which replenishes the ground water. An alternative condition for the parcel owners would be that the City of Fernley run water lines down Truckee, Margaret & Carol way to be able to connect to city water resources should our wells need to be re-drilled due to the extra demand of water in this area.

In keeping with the larger lot sizes, I am also asking to develop Stock Lane with a large rural area open space walkway on the east side of the road for a barrier between rural and the newly planned housing. The adjacent lots on the perimeter of the new subdivision should be larger than 12,000 sq. ft to maintain the historical, rural area atmosphere of West Fernley & also have required larger setbacks for these homes.

There are many undeveloped areas east of Miller Lane for smaller subdivision to be created within the infrastructure density of the City of Fernley.

Also, with the proposed dense population, this will create more problems for crime in our area. This will unenviably fall back for liability to the City of Fernley for creating a bigger problem for the residence in our area of the community. This will affect the quality of life enjoyed by all residents, present & future.

We do need levels of improvements for our contiunable sustainable growth. Please consider the suggested comments of the citizens before making another major mistake with the building development of our city.

Respectfully,

Tasha Lowrey
Property Owner
April Homme

From: Bill Meyer <wsmeyer1@sbcglobal.net>
Sent: Thursday, June 25, 2020 3:12 PM
To: City Clerk
Cc: BILL MEYER
Subject: relief springs lic series c
Attachments: BILL MEYER2.vcf

BILL MEYER

(775) 771-4095 Mobile
(775) 575-4913 Home
wsmeyer1@sbcglobal.net

Just received “NOTICE OF PUBLIC HEARING”.

1. 6000 SQUARE FOOT LOTS ARE TOO SMALL. 12,000 is what the land is zoned for and it should stay that way.
2. Neighborhood commercial is a good idea if confined to the northern part of the property.
3. Medium density residential, 14 units calculates to 3100 square feet. Not sure what this is, but sounds like a lot of people and traffic in a small space. I am not in favor.
4. Realizing that this is a VICINITY MAP AND ASKING FOR A ZONE CHANGE, I have other questions not related but important to this project.
   1. What happens to the remainder of the property that borders miller lane, will it remain a hole in the ground as it has for the last 10 years or so.
   2. Where will the streets connect?
   3. What improvements will be made to miller lane.
   4. What is the estimated car count, and how many people will this area house?

This is a big deal and it is time for something to happen there, but if it is not planned well, we will have to live with it forever. I understand the need to structure a project that is profitable for a developer, but it needs to be in the best interest of the town. Some of these things are not in the best interest of the town. I would hope the planning commission will think carefully about this and not pass it on for the city council to adjust.

This email has been checked for viruses by AVG antivirus software.
www.avg.com
Felicity Zoberski, Commissioner Barry Williams Sr.) (summary: Yes = 4, Commissioner Paul Unterbrink, Commissioner Angela Lewis, Commissioner Jenni McCullar, Commissioner Cody Wagner). Motion passes.

Planning Director Tim Thompson reported there is another public hearing scheduled for this item at the Fernley City Council Meeting August 19th, 2020.

5.2. Public Hearing, ZMA20002 (FOR POSSIBLE ACTION)

Consideration and possible action on a Zoning Map Amendment request from Lyon County School District, to change the zoning from GR20 (General Rural 20 Acres) to PF (Public Facility) on a site ± 15.46 acres in size located at 4180 Farm District Road, Fernley, NV. (APN(s): 021-351-11 & 12)

Assistant City Planner Melinda Bauer presented. Ms. Bauer gave a brief description of the proposed change and reported no public comments have been received. She stated staff requested this item be forwarded to City Council for approval.

PUBLIC INPUT.

There was none.

Motion: MOVE TO FORWARD A RECOMMENDATION OF APPROVAL TO CITY COUNCIL FOR A ZONING MAP AMENDMENT REQUEST, ASSOCIATED WITH ZMA20002, ADOPTING FINDINGS A THROUGH C AND THE FACTS SUPPORTING THE FINDINGS AS SET FORTH IN THE STAFF REPORT. Action: Approve, Moved by Commissioner Felicity Zoberski, Seconded by Board Member Angela Lewis. Vote: Motion carried by unanimous roll call vote (summary: Yes = 7). Yes: Commissioner Angela Lewis, Commissioner Barry Williams Sr., Commissioner Cody Wagner, Commissioner Felicity Zoberski, Commissioner Jenni McCullar, Commissioner Paul Unterbrink, Chairman Jan Hodges.

6. PLANNING DIRECTOR ITEMS:

Planning Director Tim Thompson stated the next Planning Commission meeting is August 12, 2020. Mr. Thompson thanked the commissioners and public for their patience as the City navigates to include technology during virtual meetings and a portion of the “Cares
Act Funding” will be used to upgrade the chambers and technology to better serve the public.

7. CHAIR AND COMMISSION ITEMS:
Cody Wagner requested an update on the transportation masterplan.

8. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS.
There was none

9. PUBLIC INPUT
There was none

There being no further business to come before it, the Fernley Planning Commission meeting adjourned at 6:34 pm.

Approved by the Fernley Planning Commission on August 12, 2020 by a vote of:

AYES: _____ NAYS: _____ ABSTENTIONS: _____ ABSENT: _____

__________________________________________
Chairman Jan Hodges

__________________________________________
ATTEST:
Meeting Date: August 12, 2020

REPORT TO: Planning Commission
REPORT BY: Olivia John, Assistant Planner
REVIEWED BY: Tim Thompson, Planning Director

FINANCIAL IMPACT:
☐ YES ☒ NO

CURRENTLY BUDGETED:
☐ YES ☐ NO ☒ N/A

FUND/ACCOUNT:

☐ Consent ☒ Motion ☒ Ordinance
☐ Presentation ☐ Receive/File ☐ Resolution

AGENDA ITEM: Public Hearing, ZMA20003 (FOR POSSIBLE ACTION)
Consideration and possible action on a Zoning Map Amendment request from Vertex Fund 1 LLC, to change the zoning on a site comprised of nine parcels totaling approximately 33.23 acres generally located north of Fremont Street, south of U.S. Interstate 80, west of Granada Street & Wildwood Drive, and east of Vine Street, Fernley, NV.

1. To change the zoning on a ± 7.08 acre parcel from SF6 (Single Family Residential, 6,000 sq. ft. minimum lot size) to MDR14 (Medium Density Residential, 14 dwelling units per acre). (APN: 020-516-06)
2. To change the zoning on seven parcels totaling ± 24.09 acres from SF12 (Single Family Residential, 12,000 sq. ft.) to MDR14 (Medium Density Residential, 14 dwelling units per acre). (APNs: 021-092-23, 021-092-26, 021-092-27, 021-092-46, 021-092-47, 021-092-54, 021-092-55)
3. To change the zoning on a ± 2.06 acre parcel from RR1 (Rural Residential, 1 acre minimum lot size) to MDR14 (Medium Density Residential, 14 dwelling units per acre). (APN: 021-092-05)

AGENDA ITEM BRIEF:
The applicant is requesting to change the zoning on a total of nine parcels: One parcel from SF6 (Single Family Residential, 6,000 sq. ft. minimum lot size) to MDR14 (Medium Density Residential, 14 dwelling units per acre); one parcel from RR1 (Rural Residential, 1 acre minimum lot size) to MDR14 (Medium Density Residential, 14 dwelling units per acre); and, on seven parcels from SF12 (Single Family Residential, 12,000 sq. ft. minimum lot size) to MDR14 (Medium Density Residential, 14 dwelling units per acre).

RECOMMENDED MOTION:
“I move to forward a recommendation of approval to City Council for the Zoning Map Amendments, associated with ZMA20003, based on Finding A through C and the facts supporting those Findings as set forth in the staff report.”

Business Impact (per NRS Chapter 237):
☐ A Business Impact Statement is Attached.
☒ 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.
PROJECT SUMMARY

CASE NUMBER(S): • ZMA20003

REQUESTED ACTION(S): • Zoning Map Amendment

PROJECT DESCRIPTION: • A Zoning Map Amendment request to change the zoning on a total of nine parcels: One parcel from SF6 (Single Family Residential, 6,000 sq. ft. minimum lot size) to MDR14 (Medium Density Residential, 14 dwelling units per acre); one parcel from RR1 (Rural Residential, 1 acre minimum lot size) to MDR14 (Medium Density Residential, 14 dwelling units per acre); and, on seven parcels from SF12 (Single Family Residential, 12,000 sq. ft. minimum lot size) to MDR14 (Medium Density Residential, 14 dwelling units per acre).

PROPERTY OWNER(s): • Harold Smith
• C&D Development Co.
• Clarence Leroy Shields

APPLICANT: • Vertex Fund 1 LLC

LOCATION: • Generally located north of Fremont Street, south of U.S. Interstate 80, west of Granada Street & Wildwood Drive, and east of Vine Street, Fernley, NV

SITE SIZE: • ± 33.32 acres

EXISTING ZONING: • SF6 (Single Family 6000 sq. ft. minimum lot size)
• SF12 (Single Family 12,000 Sq. ft. minimum lot size)
• RR1 (Rural Residential 1 acre minimum lot size)

PROPOSED ZONING • MDR14 (Medium Density Residential, 14 dwelling units per acre)

EXISTING LAND USE: • Mixed Residential (MR)

WARD INFORMATION: • Ward 1 – Raymond Lacy

*A PUBLIC HEARING IS REQUIRED

POLICY REFERENCE
Nevada Statutes: NRS 278A
Fernley Municipal Code: Title 32
Policies & Procedure Manual: N/A
Community Assessment: N/A
City of Fernley Development Code: Chapter 32.03 & 32.06
BACKGROUND
The subject parcels surrounded by existing residential development which was previously agricultural land. A Tentative Subdivision Map was approved by City Council on July 20, 2016 but the approved map has since expired. This area is located within walking distance of services and amenities. The City of Fernley completed a Master Plan update in August 2018 which anticipated more intense type development (Mixed Residential) within the area which will encourage a range of housing types to supplement employment housing demand. Although this Zoning Map Amendment is not attached to a current project, future residential development of smaller lots is likely to help provide a more attainable housing product, supporting the goals of the City’s Comprehensive Master Plan (Master Plan).

ANALYSIS
The subject parcels have a Master Plan designation of Mixed Residential (MR). Current zoning designations include Single Family 6,000 square foot min (SF6) (APN: 020-516-06), Single Family 12,000 square foot min (SF12) (APNs: 021-092-23, 021-092-26, 021-092-27, 021-092-46, 021-092-47, 021-092-54, 021-092-55), and Rural Residential 1 acre (RR1) (APN: 021-092-05).

The existing zoning is not in conformance with the Master Plan designation of “Mixed Residential.” The applicant is proposing to change the zoning for all parcels to MDR14 (Medium Density Residential – 14 du/ac) which would bring the parcels into conformance with the Master Plan.

One of the important community principles that guided the 2018 City of Fernley Comprehensive Master Plan update was to diversify Fernley’s housing types and provide more affordable options to serve a broader range of the community. Previous land patterns in Fernley have promoted larger lots, which have led to higher housing costs and inefficient use of infrastructure resulting in higher utility costs. The proposed Zoning Map Amendment will help implement the new Master Plan and increase the overall supply of housing in the region while helping to diversify Fernley’s housing products.

The proposed Zoning Map Amendment encourages higher density residential development near the commercial corridor as outline in the approved Master Plan. The proposed MDR14 zoning will allow additional units on an infill site which can take advantage of any surplus capacity of existing infrastructure, thus allowing for the more efficient use of public infrastructure. Not only will the additional units help pay for much needed improvements including roadways, sewer, and flood mitigation, they will also help sustain the ever-growing long-term maintenance costs of the infrastructure.

One of the primary goals of the Master Plan is to provide a diverse mix of housing types. This proposed amendment would allow for development to take place within a targeted area where density is currently low, and the demand is highest for the projected growth in population.

FINDINGS
Zoning Map Amendment

A. Consistent with the City’s Master Plan and otherwise consistent with state and federal law.

MDR14 zoning is an allowed zoning within the MR master plan designation. The zoning will allow for medium density mixed residential development while maintaining the character of the area.
One of the important community principles that guided the 2018 City of Fernley Comprehensive Master Plan update was to diversify Fernley’s housing types and provide more affordable options to serve a broader range of the community. Previous land patterns in Fernley have promoted larger lots, which have led to higher housing costs and inefficient use of infrastructure resulting in higher utility costs. The proposed Zoning Map Amendment will help implement the new Master Plan and increase the overall supply of housing in the region while helping to diversify Fernley’s housing products.

**Applicable Master Plan Policies**

**“HP.1.1 Enhance Fernley’s vitality as a community by providing a variety of housing types, density and costs that accommodate the needs, desires and financial abilities of the current and future households.”**

Growth and new jobs are anticipated in this region and housing demand will require the construction of additional housing units. Historic land patterns in Fernley promoted larger lots, which have led to higher housing costs and inefficient use of infrastructure also leading to higher utility costs. A higher density on parcels close to infrastructure can help increase the overall supply of housing in the region and support new jobs in Fernley. Additional housing will not only provide opportunities for Fernley workers to live in Fernley but will also help stabilize housing prices and support greater housing attainability, more so than the housing type encouraged by the existing zoning.

**“HP.1.2 Encourage housing that supports sustainable development patterns by promoting the efficient use of land, conservation of natural resources, easy access to services and public facilities such as parks, and resource efficient design and construction.”**

The subject parcels are within an area in close proximity to existing infrastructure, services, and amenities. The Zoning Map Amendment request would promote a density compatible with the Master Plan adding additional units to support workforce demand. A key component to sustainability in land use practices is reducing sprawl by using existing land in the most efficient manner possible. Changing the zoning and increasing density on the subject parcels will encourage redevelopment and add housing for the growing population in an area surrounded by existing development and infrastructure.

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

Sewer, Water, and Utilities:
Utilities are in close proximity to the subject parcels. It is anticipated a future project would utilize and improve existing infrastructure in this area to serve the development, which will also provide benefits to the surrounding area. The increase in density to MDR14 will help to support community wide benefits such as flood mitigation, upgrading aging utilities, reconstructing roadways, and long-term sustainability of the City’s infrastructure. However, at this time it is unclear just how much capacity exits within the existing infrastructure. New development may need to construct additional capacity to serve any proposed project.
Schools:
The closest schools to the subject parcels are Fernley Elementary School and Fernley Intermediate School, both located approximately 1 mile southwest of the site. Fernley High School is located approximately 2.2 miles southwest. According to the Lyon County School District’s 2016 Facilities Plan, all of the Fernley schools are currently under capacity and are planned to be within adequate utilization through 2025, with the exception of one elementary school. The School District’s 10-year capital program identifies a new elementary school that is planned to be built in the next 4 to 6 years, which would address elementary school capacity. Any future tentative subdivision map would be sent to the school district for consideration and determination whether adequate facilities exist.

Police & Fire:
Police protection is provided by the Lyon County Sheriff’s office. Fire protection is provided by the North Lyon County Fire Protection District. The subject site is located in a developed area near existing development that is already served by these agencies.

Parks/Recreation:
The subject property is located adjacent to a community park and public open space. It should be noted the City’s Parks Master Plan calls for a new park to be located to the west of Vine Street. Depending on the type of development proposed, a developer may be required to provide recreational amenities within the project site.

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

The existing zoning is not in conformance with the Master Plan designation of “Mixed Residential.” The appropriate zoning for this property is either Medium Density Residential – 14 units per acre (MDR14) or Planned Development (PD). This zoning amendment to MDR14 will bring the property into conformity with the Master Plan. The proposed Zoning Map Amendment would help support the goals and policies Comprehensive Master Plan.

“LU.1.5 Promote infill development.”

The subject parcels are surrounded by existing residences as well as existing infrastructure and services. The proposed Zoning Map Amendment would be compatible with the surrounding area and would encourage redevelopment of these underutilized infill parcels.
B. Consistent with the surrounding land uses.

<table>
<thead>
<tr>
<th>Surrounding properties and uses:</th>
<th>Current Zoning District:</th>
<th>Comprehensive Plan Land Use Designation:</th>
</tr>
</thead>
<tbody>
<tr>
<td>North: Open space (U.S. Interstate 80)</td>
<td>GR20</td>
<td>OSP</td>
</tr>
<tr>
<td>West: Residential-rural development and agricultural</td>
<td>RR1 &amp; SF20</td>
<td>MR</td>
</tr>
<tr>
<td>East: Single-family residential and open space</td>
<td>MF30 &amp; SF6</td>
<td>OSP &amp; MR</td>
</tr>
<tr>
<td>South: Residential-rural development and agricultural</td>
<td>SF20 &amp; SF12</td>
<td>MR</td>
</tr>
</tbody>
</table>

The subject parcels are located in a developed area served by existing public facilities, roads, and services. However, it is unclear whether adequate public facilities exist in the area to serve any proposed development. A future development project may be required to improve the infrastructure to serve the development providing benefits to the surrounding area.

The subject parcels are infill surrounded by existing development. The Zoning Map Amendment is consistent with the surrounding area and would allow for similar development to the adjacent properties.

Promoting denser development in areas with existing infrastructure and services conserves natural and economic resources, discouraging sprawl and inefficient land patterns that require significant public investment to sustain. Encouraging efficient use of land for residential housing on infill parcels such as the subject parcels will reduce the City’s cost for providing services in the future and help support redevelopment efforts.

This request will help to ensure an adequate housing supply to meet future population projections identified in the Master Plan. A higher density of lots on parcels close to infrastructure can help increase and diversify the overall supply of housing in the region and contribute to a stabilization of housing prices and support greater housing attainability.

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

Public notice was given, a public hearing was scheduled, and The Planning Commission and City Council meetings function as public hearings for this matter as required in the City’s Municipal Code and Nevada Revised Statutes.

Pursuant to Section 3 of the Declaration of Emergency Directive 006 the requirement contained in NRS 241.023(1)(b) that there be a physical location designated for meetings of public bodies where members of the public are permitted to attend and participate has been suspended until further notice. Also suspended in Section 3 of Directive 006, are the requirements contained in NRS 241.020(4)(a) that public notice agendas be posted at physical locations within the State of Nevada. To view the entire Declaration of Emergency Directive 006 please visit.

ATTACHMENTS

1. Attachment 1 - Vicinity Map