

Fernley Planning Commission

Meeting Minutes

April 14, 2021

Chairman Barry Williams Sr. called the meeting to order at 5:00 p.m. at Fernley City Hall, 595 Silver Lace Blvd, Fernley, NV.

Chairman Barry Williams Sr. explained this meeting was broadcasted by Zoom. He explained how to access Zoom and how to ask questions during the appropriate time.

1. INTRODUCTORY ITEMS

1.1. Roll Call.

Present: Chairman Barry Williams Sr., Commissioner Jan Hodges, Commissioner Cody Wagner, Commissioner Angela Lewis, Commissioner Shellie Severa, Commissioner Humayoon Lodhi, Planning Director Tim Thompson, Deputy City Attorney Brent Kolvet, Deputy City Clerk Brenda Gosser, Administrative Specialist II April Homme. **Absent:** Commissioner Jenni McCullar.

1.2. Public Forum

City Clerk Administrative Specialist April Homme read into record comments from Fernley residents Robert Morrissey and James McRae. (see attached)

1.3. (For Possible Action) Approval of The Agenda

Motion: MOVE TO APPROVE THE AGENDA, **Action:** Approve, **Moved by** Commissioner Cody Wagner, **Seconded by** Commissioner Angela Lewis **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6). **Yes:** Commissioner Cody Wagner, Commissioner Angela Lewis, Commissioner Jan Hodges, Commissioner Shellie Severa, Commissioner Humayoon Lodhi, Chairman Barry Williams Sr. **Absent:** Commissioner Jenni McCullar.

2. (For Possible Action) APPROVAL OF MINUTES FROM FEBRUARY 10, 2021.

Motion: MOVE TO APPROVE MINUTES FEBRUARY 10, 2021, **Action:** Approve, **Moved by** Commissioner Jan Hodges, **Seconded by** Commissioner Shellie Severa, **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6). **Yes:** Commissioner Cody Wagner, Commissioner Jan Hodges, Commissioner Shellie Severa, Commissioner Humayoon Lodhi, Chairman Barry Williams Sr., **Absent:** Commissioner Jenni McCullar.

3. PUBLIC HEARINGS

- a. Discussion with City Council & Staff
- b. Public Input
- c. Additional Discussion with City Council & Staff
- d. Council Action or Direction to Staff

3.1. Public Hearing, Conditional Use Permit – CUP21001 (FOR POSSIBLE ACTION) Consideration and possible action on a Conditional Use Permit (CUP21001) request from Patricia Morgan, to allow for the intensification of a Substandard Development, in the C1 (Neighborhood Commercial) zoning district, located at 113 7th Street, Fernley, NV. (APN: 020-224-02).

Planning Director Tim Thompson provided parcel history for the project. The applicant is proposing to convert the existing single-family residence to a personal service facility (salon suites). Mr. Thompson stated the applicant does not meet the parking requirements or setbacks. The Planning Commission can approve the item with the conditions of approval or if the Planning Commission cannot make the applicable Findings and determines the proposed changes are detrimental to the public health, safety, and welfare, the Planning Commission could deny the application. (see attached)

Commissioner Wagner inquired about the business to the North and parking requirements. Commissioner Wagner voiced concerns about residential property conversation to commercial businesses in this neighborhood.

Director Thompson stated he did not have background on the business across the street however the parking is supposed to occur in the driveway. If this business applied today, we would be having the same discussion. Director Thompson stated yes this could be a potential problem in the future due to the C-1 zoning however the parking guidelines would prohibit most business and they would not meet the design standards.

Ryan Simms with Action Engineering stated the applicant purchased the property because of the commercial zoning in place with the intent of doing business. Ryan stated the owner intends to develop the site in conformance as much as possible and buffering will be provided as needed.

Nathan Robinson the applicant's engineer thanked commissioners and stated he was available for questions.

PUBLIC INPUT

City Clerk Administrative Specialist April Homme read into record comments from Fernley residents Andrew Maldonado and Eugene Di Stefano (see attached)

Motion: BASED ON INFORMATION RECEIVED IN WRITTEN MATERIALS AND AT THE PUBLIC HEARINGS ON THIS MATTER, MOVE TO DENY THE CONDITIONAL USE PERMIT REQUEST ASSOCIATED WITH CUP21001 BECAUSE I HAVE DETERMINED THE PROPOSED CHANGES ARE DETRIMENTAL TO THE PUBLIC'S HEALTH, SAFETY, AND GENERAL WELFARE. I AM UNABLE TO MAKE THE FOLLOWING CONDITIONAL USE PERMIT FINDINGS, CU1 AS IT IS NOT IN FULL COMPLIANCE WITH THE COMPREHENSIVE MASTERPLAN, CU2 IT IS NOT COMPATIBLE WITH THE RESIDENTIAL UNIT ON THE SOUTHSIDE AND PAINTING 25 FT OF RED CURB IN FRONT OF THEIR HOUSE AND CU4 I BELIEVE THIS IS THE OPPOSITE OF PROVIDING MORE AFFORDABLE HOUSING. **Action:** Approve, **Moved by** Commissioner Cody Wagner, **Seconded by** Commissioner Jan Hodges **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6). **Yes:** Commissioner Cody Wagner, Commissioner Jan Hodges, Commissioner Shellie Severa, Commissioner Humayoon Lodhi, Chairman Barry Williams Sr., **Absent:** Commissioner Jenni McCullar.

3.2. Public Hearing, Conditional Use Permit - CUP21002 (FOR POSSIBLE ACTION) Consideration and possible action on a Conditional Use Permit request to allow for a Church use in the C2 (General Commercial) zoning district in an existing building located at 868 and 870 Cottonwood Lane, Fernley, NV. (APN(s): 021-591-03 & 04).

Assistant Planner Melinda Bauer provided parcel history and presented this item.

Commissioner Wagner inquired if there were any concerns with parking.

Planning Director Thompson stated the parking meets the code development requirements. Thompson stated parking has been addressed and this use would utilize half of their parking during services. Planning does not foresee parking issues. A condition has been placed on the permit to allow for no parking on the adjacent vacant dirt lot or on-street parking.

PUBLIC INPUT

There was none.

Motion: MOVE TO APPROVE A CONDITIONAL USE PERMIT, ASSOCIATED WITH CUP21002, BASED ON FINDINGS CUP1 THROUGH CUP6 AND THE FACTS SUPPORTING THE FINDINGS AS SET FORTH IN THE STAFF REPORT AND SUBJECT TO THE CONDITIONS OF APPROVAL 1 THROUGH 8 AS LISTED IN THE STAFF REPORT. **Action:** Approve, **Moved by** Commissioner Angela Lewis, **Seconded by** Commissioner Humayoon Lodhi **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6). **Yes:** Commissioner Cody Wagner, Commissioner Angela Lewis, Commissioner Jan Hodges, Commissioner Shellie Severa, Commissioner Humayoon Lodhi, Chairman Barry Williams Sr. **Absent:** Commissioner Jenni McCullar.

3.3. Public Hearing, Conditional Use Permit - CUP20003 (FOR POSSIBLE ACTION)
Consideration and possible action on a Conditional Use Permit request to allow for a multi-family residential development consisting of more than 100 units (maximum 320 units) in the MDR14 (Medium Density Residential, maximum 14 du/ac) zoning district on a site approximately ± 26.25 acres in size generally located north of Fremont Street, south of U.S. Interstate 80, west of Wildwood Drive, and east of Vine Street, Fernley, NV. (APNs: 021-092-23, 021-092-26, 021-092-27, 021-092-46, 021-092-47, 021-092-54, and 021-092-55).

Planning Director Tim Thompson requested a continuance for this item.

Clayton Trapp the applicant stated they presented a letter and are aware this has exceeded the time limits and are in agreeance with the continuance.

Technical difficulties enabled Cheryl Howell from providing comments.

PUBLIC INPUT

City Clerk Administrative Specialist April Homme read into record comments from Fernley resident Sharon Chezum. (see attached)

Motion: MOVE TO CONTINUE THE CONDITIONAL USE PERMIT REQUEST ASSOCIATED WITH CUP20003 TO THE MAY 12, 2021 PLANNING COMMISSION MEETING, **ACTION:** Approve, **Moved by** Commissioner Cody Wagner, **Seconded by** Commissioner Shellie Severa **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6). **Yes:** Commissioner Cody Wagner, Commissioner Angela Lewis, Commissioner Jan Hodges, Commissioner Shellie Severa, Commissioner Humayoon Lodhi, Chairman Barry Williams Sr. **Absent:** Commissioner Jenni McCullar.

4.GENERAL BUSINESS

4.1. Staff Report, Tentative Subdivision Map – TSM20004 (For Possible Action)
Consideration and possible action on a Tentative Subdivision Map request to allow for a 54-lot single family residential subdivision on a site approximately 7.08 acres in size in the MDR14 (Medium Density Residential, maximum 14 du/ac) zoning district 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. (APN: 020-516-06)

Assistant Planner Melinda Bauer presented this item. (see attached)

Commissioner Wagner questioned the lot size stating the math does not appear to work.

Planning Director Thompson stated there is no minimum lot size in MDR14 zoning it is a minimum site size. Director Thompson further clarified.

Commissioner Hodges stated his concerns with traffic at Fremont and 95A and questioned if a traffic study had been completed.

Planning Director Thompson stated a traffic study has been completed and City Engineer Derek Starkey would speak to this.

Derek Starkey City Engineer provided the conditions proposed in the traffic study. This study was combined with the Sherwood Project and a thorough traffic analysis was completed. The right-of way for Fremont will be widened. City Engineer Starkey stated the City is taking measures to ensure proper infrastructure is in place and conditions are met.

Discussion ensued.

Clayton Trapp with Phelps Engineering owner representative stated many studies have been conducted. Phelps Engineering has tried to be cognitive of all the impacts and will meet the conditions of approval.

Matt Dixon with Phelps Engineering stated they have conducted multiple traffic studies and provided details. Drainage improvements and intersection improvements are all being taken into consideration.

Discussion ensued.

Fernley resident Cal Eilrich co-owner of Fernwood and representative for the owners commented voting yes will open access to Vine St. and Interstate 80 and will create affordable housing.

Planning Director Tim Thompson stated a tentative map does not require a public hearing however upon discretion the Planning Commission Chair could open for public input.

Chairman Barry Williams Sr. opened for public input.

PUBLIC INPUT

City Deputy Clerk Gosser read into record comments via zoom chat from Daniel Ehler stating the land would be developed at some point and the traffic flow will need to be figured out and suggested approval of this item.

Motion: MOVE TO FORWARD A RECOMMENDATION OF APPROVAL TO CITY COUNCIL FOR A TENTATIVE SUBDIVISION MAP, ASSOCIATED WITH TSM20004, BASED ON FINDINGS TM1 THROUGH TM11 AND THE FACTS SUPPORTING THE APPROVAL CRITERIA AS SET FORTH IN THE STAFF REPORT AND SUBJECT TO THE CONDITIONS OF APPROVAL 1 THROUGH 28 AS LISTED IN THE STAFF REPORT. **Action:** Approve, **Moved by** Commissioner Cody Wagner, **Seconded by** Commissioner Shellie Severa **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6). **Yes:** Commissioner Humayoon Lodhi, Commissioner Angela Lewis, Commissioner Jan Hodges, Commissioner Humayoon Lodhi, Chairman Barry Williams Sr. **No:** Commissioner Shellie Severa, **Absent:** Commissioner Jenni McCullar.

5. PLANNING DIRECTOR ITEMS:

Planning Director Thompson reported the City is in the process of recruiting for an Associate Planner position and Assistant Planner. The pending offer for the Assistant Planner position has been accepted. Planning may have to limit application submittals due to staffing to meet the required timelines.

6. CHAIR AND COMMISSION ITEMS:

Commissioner Wagner shared the link for public comments regarding the stimulus money allocations received by the State of Nevada and encouraged the community to submit comments regarding the need for transportation infrastructure improvements in Fernley. https://hal.nv.gov/form/2021_Stimulus/ARP_Ideas_List_Community_Stakeholder

7. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS:

There were none.

8. PUBLIC FORUM

There were none.

Chairman Barry Williams Sr. announced the next Planning Commission meeting is scheduled for Wednesday May 12, 2021 at 5:00 p.m.

There being no further business to come before it, the Fernley Planning Commission meeting adjourned at 7:05 pm.

Approved by the Fernley Planning Commission on May 12, 2021 by a vote of:

AYES: 7 NAYS: 0 ABSTENTIONS: 0 ABSENT: 0


ATTEST:


Chairman Barry Williams Sr.

April Homme

From: Robert Morrisey [REDACTED]
Sent: Wednesday, April 14, 2021 2:37 PM
To: City Clerk
Subject: American Battery

When will we get an ok on the permit ? City could use the jobs and the country needs this badly. Fernley will be in a way better place.

Sent from my iPhone

April Homme

From: Jay McRae [REDACTED]
Sent: Wednesday, April 14, 2021 3:55 PM
To: City Clerk
Subject: CUP20003

I am requesting that this comment please be read at both the 4/14/2021 and the 5/12/2021 hearings.

Hello Neighbors,

The purpose of this email is to comment on the possible action described in CUP20003. My biggest concern with this project is the congestion and traffic issues it will cause. We are already looking at an apartment complex on Fremont Street behind the Walgreens, as well as TSM20004 which has 54 lots going in adjacent to the lot in this application (CUP20003 which would be another 100 multifamily units). If both projects are executed, Fremont street would become an extremely busy street. This would also turn the neighborhood streets, Sandia, Eaglewood, Fernwood and especially Wildwood, into main thoroughfares. I ask that, before these 100 multifamily units are built, there be some proactive planning enacted to mitigate the looming traffic issue we would be facing.

Also, we already see traffic back up from the roundabout all the way North to Newlands during peak travel times and adding this many more residents going in and out of this area from Fremont Street will further compound the problem there. I support providing additional housing since Fernley is growing quickly, I just want to see it happen in a way that makes sense and keeps all of us in the community safe and happy. Our neighborhood is a beautiful place, and we don't want it to end up being too busy to enjoy.

Thank you,
James McRae



www.cityoffernley.org

Tell us how we are doing. We value your input. www.cityoffernley.org/forms.aspx?FID=165

From: S Chezum [REDACTED]
Sent: Saturday, April 10, 2021 7:08 PM
To: Brenda Gosser <bgosser@cityoffernley.org>
Subject: RE: CUP20003 - Sherwood project

The following are concerns I have about the Sherwood project off of Fremont St. Please acknowledge receipt of this email. Thank you:

1 – I think the biggest problem is, there is only one egress from this area, and that is 95A. 95A is a bottleneck. Other than Vine St, which is a very narrow, 2 lane road, there is no other way out. And even Vine St eventually leads to 95A. No matter what is done with Fremont St and West Newlands, to leave this area one would have to get onto 95A. The apartments being built behind Walgreens will increase the traffic problem. Even the apartments that might go in near the assisted living facility will add to the traffic, and therefore the problem. The 320 living unit in this project area, or, what would be better described as at least 320 cars, will further aggravate this problem. That bottleneck needs to be resolved before many more cars are added to this area.

2 – Approximately 320 units are planned. None will be single family or duplex. Yet all other units in this area are single family or duplex. That does not seem to fit well with existing feel/use of this area.

3 – All of the units are 1 or 2 bedroom. This would limit the size of any family that might want to live in this area. Should there not be at least a few 3 bedroom units?

4 – There needs to be 2 roads leading into/out of this project area. 1 is Fremont St. The other seems to be a new road (*), Pinewood Dr.

- a. *Is Pinewood Dr - Vine St renamed? Right now that portion of Vine St is a dirt road that runs into the undeveloped area between the two halves of Wildwood.

- b. Pinewood seems to intersect with Wildwood. Wildwood runs through or connects with single family detached home neighborhoods. That is contrary to the description of MDR14 - "(2) No vehicular access shall be provided on a local street serving existing single family detached development, with the exception of emergency access."
- c. What are the plans for Pinewood to handle the route of this second access road to avoid existing neighborhoods?
- d. Will the current connection to Vine St. still exist? If so, how will the paved north/south portion of Vine St. be improved? (it is a very narrow, barely 2 lane road)

3 – There are plans for ponds. What are the plans for keeping mosquitoes under control? And what are the plans for keeping the children safe around these ponds?

4 – Fremont St –

- a. It looks like the plan is to widen Fremont St. Will property owners lose any land?
- b. Sidewalks are being added: How far down Fremont St? Down to where work is being done for the new apartments (near Walgreens)?
- c. There are school bus stops, what additional safety measures are planned, considering the increased traffic?
- d. Are bike lanes planned?

5 – What, if any, are the planned separation between the new project area and existing neighbors? Wood fences, like already exists in the area?

6 – How will the change in the character/feel suggested by the project affect the planned use of the undeveloped area between the two halves of Wildwood/Fernwood? Prior to this that area was going to continue with single family/duplex housing units. What, if anything, are the changes being considered to these existing plans?

Sharon Chozum

Sent from [Mail](#) for Windows 10

Eugene Di Stefano

04-12-21 P01:11 IN

City of Fernley

595 Silver Lace Blvd, Fernley NV 89408

Subject: Public Hearing, CUP21001- Consideration and possible action on a Conditional Use Permit request from Patricia Morgan, to allow for the intensification of a Substandard Development. in the C1 (Neighborhood Commercial) zoning district, located at 113 7th street Fernley, NV. (APN: 020-224-02).

To whom it may concern,

I am writing this letter to voice my concern over granting a special use permit to Patricia Morgan. I am against granting this special use permit. From what I understand this special use permit is for a 10 chair salon with 7 parking spaces. This means there would be customers and employees parking along an already crowded residential street. This property is located at an already very busy intersection located next to State Farm, 7-Eleven and a thrift store.

I have lived at 165 7th street since 1996 and have seen traffic increase dramatically since that time. 7th street has become a very dangerous street since 1996. Vehicles speeding down 7th street is a common everyday occurrence. Adding another business would only increase the traffic issues and would create an even bigger safety issue that already exist on 7th street.

The property at 113 7th street is located in a residential neighborhood. I have serious concerns about commercial businesses encroaching into a residential neighborhood and the unintended consequences this may cause for the residents. A possible decrease of property value and adding to an already dangerous traffic situation is just some of my concerns.

I live only two houses down from 113 7th street and do not want to see another commercial business come into my residential neighborhood. I ask that you please take into consideration my stance on this issue and do not grant the special use permit requested by Patricia Morgan. I am sure there is other commercial space available to Patricia Morgan that is not in a residential subdivision.

Sincerely,

Eugene M. Di Stefano



Andrew Maldonado



04/12/2021

Members of the planning commission:

I am writing this letter to voice my concern and opposition to the granting of a conditional use permit to Patricia Morgan for the property located at 113 7th street, Fernley, Nevada. I have visited the planning department to review the particulars for the proposed business. After learning that the permit is for a Salon designed for ten-chair occupancy and would only have available parking for seven vehicles, I am concerned. The parking spaces are not adequate to serve the needs of this business. The result of this would be overflow parking for employees and customers on the surrounding residential streets. My home sits on the corner of C and 7th street so, I am very aware of the current traffic level. I believe the overflow of vehicles from the Salon would pose an unnecessary risk to the community's residents, motorists, and pedestrians by increasing traffic and decreasing visibility due to the number of parked vehicles on already narrow and busy residential streets.

I am also dismayed to see a home transitioned into a business when our community is already short on housing, not to mention existing commercial locations in our city in need of tenets. I feel that granting this permit would be a disservice to the Residents of the community and the City of Fernley.

Sincerely,

A handwritten signature in blue ink that reads "Andrew Maldonado".

Conditions of Approval for CUP21001
Conditional Use Permit

1. APPROVAL:
THE PROJECT IS APPROVED AS SUBMITTED AND CONDITIONED. ANY SUBSTANTIVE CHANGE SHALL REQUIRE REVIEW AND APPROVAL BY THE PLANNING COMMISSION AS AN AMENDMENT TO THIS CONDITIONAL USE PERMIT.
2. EXPIRATION DATE:
THE CONDITIONAL USE PERMIT SHALL EXPIRE WITHIN ONE (1) YEAR OF THE DATE OF PLANNING COMMISSION APPROVAL, UNLESS THE PERMITTED USE HAS BEEN ESTABLISHED OR CONSTRUCTION TO ACCOMMODATE THAT USE HAS BEGUN AND IS BEING DILIGENTLY PURSUED. A ONE-YEAR EXTENSION MAY BE GRANTED BY THE PLANNING COMMISSION IF REQUESTED PRIOR TO THE EXPIRATION DATE OF THE CONDITIONAL USE PERMIT.
3. FEDERAL, STATE, AND LOCAL AGENCIES:
THE DEVELOPER SHALL COMPLY WITH ALL REQUIREMENTS OF ANY FEDERAL, STATE, OR LOCAL AGENCY WITH JURISDICTION OVER THE PROJECT TO THE APPROVAL OF THE ADMINISTRATOR.
4. WATER RIGHTS:
THE DEVELOPER SHALL COMPLY WITH ALL CITY OF FERNLEY MUNICIPAL CODES REGARDING THE DEDICATION OF WATER RIGHTS, INCLUDING ASSOCIATED FEES, FOR THE CONNECTION TO THE CITY'S MUNICIPAL WATER SYSTEM IN THE AMOUNT THAT IS REQUIRED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR THE PROJECT.
5. LANDSCAPING/IRRIGATION:
THE DEVELOPER SHALL SUBMIT A LANDSCAPING AND IRRIGATION PLAN FOR THE PROJECT IN CONFORMANCE WITH THE CITY OF FERNLEY DEVELOPMENT CODE §32.09.090 FOR REVIEW AND APPROVAL BY THE ADMINISTRATOR PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR THE PROJECT. THE LANDSCAPING AND IRRIGATION SHALL BE INSTALLED PER THE APPROVED PLANS PRIOR TO ISSUANCE OF THE CERTIFICATE OF OCCUPANCY FOR THE BUILDING TO THE APPROVAL OF THE ADMINISTRATOR.
6. WATER AND SEWER SERVICE:
PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR THE PROJECT, THE DEVELOPER SHALL PROVIDE THE CITY WITH A UTILITY PLAN FOR WATER AND SANITARY SEWER THAT IS IN CONFORMANCE WITH THE CITY OF FERNLEY MUNICIPAL CODE, DESIGN STANDARDS AND THE NEVADA ADMINISTRATIVE CODE TO THE APPROVAL OF THE CITY ENGINEER, PUBLIC WORKS DIRECTOR, AND ADMINISTRATOR.
7. BUFFER REQUIRMENTS:
PURSUANT TO §32.09.090 OF THE DEVELOPMENT CODE, THE DEVELOPER SHALL BE REQUIRED TO MITIGATE IMPACTS OF THE PROPOSED PROJECT ON THE EXISTING ADJACENT RESIDENTIAL DEVELOPMENT. BUFFERING SHALL INCLUDE A COMBINATION OF FENCING, WALLS, LANDSCAPE BUFFERS, OR OTHER METHOD TO PROVIDE SEPARATION BETWEEN THE NONRESIDENTIAL USE AND THE ADJACENT RESIDENTIAL USES TO THE APPROVAL OF THE ADMINISTRATOR PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR THE PROJECT.

Conditions of Approval for CUP21001
Conditional Use Permit

8. CONSTRUCTION MAINTENANCE:

THE DEVELOPER SHALL LOCATE AND UTILIZE A SUFFICIENT NUMBER OF TRASH CONTAINERS ON-SITE TO BE UTILIZED DURING THE CONSTRUCTION OF THE PROJECT TO MAINTAIN THE PROJECT SITE IN A CLEAN AND ORDERLY STATE TO THE APPROVAL OF THE ADMINISTRATOR.

9. PROJECT CONTACT:

THE DEVELOPER SHALL DESIGNATE TO THE ADMINISTRATOR A PROJECT CONTACT PERSON RESPONSIBLE/AUTHORIZED TO CORRECT PROBLEMS REGARDING THE PROJECT ON A 24-HOUR/7-DAYS A WEEK BASIS. THE DEVELOPER SHALL DESIGNATE THE PROJECT CONTACT PERSON TO THE ADMINISTRATOR PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR THE PROJECT.

10. ENGINEERING/PUBLIC WORKS:

THE DEVELOPER SHALL COMPLY WITH ALL THE REQUIREMENTS OF THE CITY OF FERNLEY MUNICIPAL CODE AND PUBLIC WORKS DESIGN MANUAL FOR THE CONSTRUCTION OF ANY PUBLIC OR PRIVATE INFRASTRUCTURE TO THE APPROVAL OF THE CITY ENGINEER AND PUBLIC WORKS DIRECTOR PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR THE PROJECT.

11. DESIGN STANDARDS:

THE DEVELOPER SHALL COMPLY WITH ANY DESIGN STANDARDS AND REGULATIONS AS SET FORTH IN THE CITY OF FERNLEY DEVELOPMENT CODE UNLESS IN CONFLICT WITH THE LOCAL, STATE OR FEDERAL REGULATIONS, IN WHICH CASE THE MORE STRINGENT REGULATION WILL TAKE PRECEDENCE.

12. PARKING:

THE DEVELOPER SHALL MAINTAIN ALL REQUIRED OFF-STREET PARKING. IF AT ANY TIME THE CITY OBSERVES VEHICLES OBSTRUCTING THE SIDEWALK OR ON-STREET PARKING ATTRIBUTABLE TO THE PROJECT IMPACTS THE SURROUNDING NEIGHBORHOOD, IT SHALL BE DEEMED A PUBLIC NUISANCE.

THE DEVELOPER SHALL PAINT THE CURB RED 25 FEET SOUTH OF THE PROJECT DRIVEWAY TO MAINTAIN SIGHT LINES AS RECOMMENDED IN THE TRAFFIC LETTER FOR THE PROJECT.

13. ARCHITECTURE/BUILDING ELEVATIONS:

THE DEVELOPMENT OF THE SUBJECT SITE SHALL BE IN SUBSTANTIAL CONFORMANCE WITH THE ARCHITECTURAL BUILDING ELEVATIONS SUBMITTED AS PART OF THIS APPLICATION. SUBSTANTIAL CHANGES TO THE ELEVATIONS SHALL REQUIRE REVIEW AND APPROVAL BY THE ADMINISTRATOR PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR THE BUILDING.

14. UTILITY SCREENING:

THE DEVELOPER SHALL WORK IN CONJUNCTION WITH THE UTILITY COMPANIES TO LOCATE UTILITY EQUIPMENT SUCH AS ELECTRICAL, GAS AND WATER JUNCTION BOXES, INCLUDING TRANSFORMER BOXES, VAULTS AND ELECTRICAL PANELS, IN AREAS WHERE THE EQUIPMENT IS SCREENED BY EITHER ARCHITECTURAL ELEMENTS THAT MATCH THE MAIN STRUCTURE'S COLORS AND MATERIALS OR BY ADJUSTING THE APPROVED LANDSCAPING TO COMPENSATE TO THE APPROVAL OF THE ADMINISTRATOR PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE PROJECT.

Conditions of Approval for CUP21001
Conditional Use Permit

15. SCREENING:

ANY MECHANICAL EQUIPMENT SHALL BE SCREENED FROM VIEW OF THE PARKING LOT, ADJACENT PUBLIC STREETS, AND PUBLIC AREAS BY USING AN ARCHITECTURAL ELEMENT OF THE BUILDING CONSISTING OF SAME MATERIALS AND BE DURABLE MATERIALS TO THE APPROVAL OF ADMINISTRATOR.

16. LIGHTING:

THE DEVELOPER IS REQUIRED TO COMPLY WITH THE LIGHTING STANDARDS AND REQUIREMENTS IN THE CITY OF FERNLEY DEVELOPMENT CODE. TO REDUCE THE IMPACT OF GLARE AND MINIMIZE THE EFFECT OF FIELD AND PARKING LIGHTING, LIGHTING FIXTURES WITH EXTERNAL "HOODS" AND INTERNAL GLARE REDUCTION LOUVERS SHALL BE USED.

17. BUILDING DEPARTMENT:

THE APPLICANT SHALL COMPLY WITH ALL REQUIREMENTS OF THE BUILDING DEPARTMENT TO THE APPROVAL OF THE BUILDING OFFICIAL PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.

18. NORTH LYON COUNTY FIRE PROTECTION DISTRICT:

THE DEVELOPER SHALL COMPLY WITH ALL REQUIREMENTS OF THE NORTH LYON COUNTY FIRE PROTECTION DISTRICT TO THE APPROVAL OF THE FIRE CHIEF PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.

Conditions of Approval for TSM20004 Tentative Subdivision Map

1. **APPROVAL:**
THE PROJECT IS APPROVED AS SUBMITTED AND CONDITIONED. ANY SUBSTANTIVE CHANGE SHALL REQUIRE REVIEW AND APPROVAL BY THE PLANNING COMMISSION AND CITY COUNCIL AS AN AMENDMENT TO THIS TENTATIVE SUBDIVISION MAP.
2. **PROJECT DESCRIPTION:**
THE PROJECT APPROVAL IS LIMITED TO A 54-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION AND 3 OPEN SPACE LOTS ON ± 7.08 ACRES.
3. **EXPIRATION DATE:**
THE TENTATIVE MAP SHALL EXPIRE WITHIN FOUR (4) YEARS OF THE DATE OF THE CITY COUNCIL APPROVAL, UNLESS THE FINAL MAP HAS BEEN RECORDED IN ACCORDANCE WITH NEVADA REVISED STATUTES (N.R.S.) 278.360. NO EXTENSIONS MAY BE GRANTED.
4. **ADJACENCY STANDARDS:**
THE DEVELOPER SHALL COMPLY WITH THE ADJACENCY STANDARDS OF THE CITY OF FERNLEY DEVELOPMENT CODE SECTION 32.09.030 TO THE APPROVAL OF THE ADMINISTRATOR, CITY ENGINEER, AND PUBLIC WORKS DIRECTOR.
5. **ENGINEERING DIVISION:**
THE DEVELOPER SHALL COMPLY WITH ALL ENGINEERING REQUIREMENTS WITHIN THE FERNLEY MUNICIPAL CODE TITLE 32, INCLUDING BUT NOT LIMITED TO, COMPLIANCE WITH SITE DEVELOPMENT STANDARDS, FLOODPLAIN MANAGEMENT, ROADWAYS, UNDERGROUNDING OF UTILITIES, AND WATER AND WASTEWATER FACILITIES TO THE APPROVAL OF THE ADMINISTRATOR, CITY ENGINEER, AND PUBLIC WORKS DIRECTOR PRIOR TO THE RECORDATION OF ANY FINAL MAP FOR THE PROJECT.
6. **DESIGN STANDARDS:**
THE DEVELOPER SHALL COMPLY WITH THE DESIGN STANDARDS AND REGULATIONS AS SET FORTH IN THE CITY OF FERNLEY'S DEVELOPMENT CODE AND PUBLIC WORKS DESIGN MANUAL UNLESS IN CONFLICT WITH THE LOCAL, STATE, OR FEDERAL REGULATIONS, IN WHICH CASE THE MORE STRINGENT REGULATION WILL TAKE PRECEDENCE.

THE PROJECT SHALL COMPLY WITH THE DESIGN STANDARDS WITHIN §32.06.070(c) TO THE APPROVAL OF THE ADMINISTRATOR PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR THE PROJECT.
7. **WATER RIGHTS:**
THE DEVELOPER SHALL COMPLY WITH ALL CITY OF FERNLEY MUNICIPAL CODES REGARDING THE DEDICATION OF WATER RIGHTS AND ALL ASSOCIATED FEES FOR THE CONNECTION TO THE CITY'S MUNICIPAL WATER SYSTEM IN THE AMOUNT THAT IS REQUIRED PRIOR TO THE RECORDATION OF A FINAL MAP.
8. **SEWER REPORT:**
AT THE TIME OF ANY FINAL MAP SUBMITTAL, THE DEVELOPER SHALL SUBMIT A FINAL SEWER REPORT THAT COMPLIES WITH ALL REQUIREMENTS OF CHAPTER 8 OF THE CITY OF FERNLEY'S PUBLIC WORKS DESIGN STANDARDS TO THE APPROVAL OF THE ADMINISTRATOR, CITY ENGINEER, AND PUBLIC WORKS DIRECTOR.

Conditions of Approval for TSM20004

Tentative Subdivision Map

9. WATER AND SEWER MODELING:

THE DEVELOPER SHALL PAY ALL FEES AND PROVIDE ALL THE INFORMATION NECESSARY TO COMPLETE WATER AND SEWER MODELING OF THE PROJECT. MODELING WILL BE PERFORMED BY THE CITY OF FERNLEY'S CONSULTANT AND ANY ADDITIONAL INFRASTRUCTURE OR CAPACITY IDENTIFIED BY THE MODELING SHALL BE INCLUDED IN THE IMPROVEMENT PLANS AND CONSTRUCTED BY THE DEVELOPER.

10. WATER AND SEWER MAINS AND SERVICES:

THE DEVELOPER SHALL COMPLY WITH ALL STANDARDS, CODES, AND REQUIREMENTS REGARDING CONNECTION TO THE CITY'S SANITARY SEWER AND POTABLE WATER SYSTEMS, INCLUDING BUT NOT LIMITED TO, ASSOCIATED FEES, EASEMENTS, DESIGN STANDARDS, SYSTEM LOOPING, DEVELOPMENT CODE REQUIREMENTS, AND STATE NDEP REQUIREMENTS. PRIOR TO THE RECORDATION OF A FINAL MAP FOR ANY PHASE OF THE PROJECT, THE DEVELOPER SHALL PROVIDE THE CITY WITH A UTILITY PLAN FOR WATER AND SANITARY SEWER THAT IS IN CONFORMANCE WITH THE CITY OF FERNLEY'S MUNICIPAL CODE AND PUBLIC WORKS DESIGN MANUAL TO THE APPROVAL OF THE CITY ENGINEER, PUBLIC WORKS DIRECTOR, AND ADMINISTRATOR. EACH PHASE MUST ALSO BE REVIEWED AND APPROVED BY THE NEVADA DEPARTMENT OF ENVIRONMENTAL PROTECTION PRIOR TO ISSUANCE OF A PERMIT FOR CONSTRUCTION.

11. UTILITY EASEMENTS:

THE DEVELOPER SHALL PROVIDE EASEMENTS TO THE CITY OF FERNLEY FOR THE MAINTENANCE OF THE PUBLIC WATER, SEWER, OR STORM DRAIN FACILITIES BEING INSTALLED ON PRIVATE PROPERTY. THE EASEMENTS SHALL INCLUDE THE CITY OF FERNLEY'S STANDARD EASEMENT LANGUAGE AND SHALL BE RECORDED ALONG WITH THE FINAL MAP.

12. DRAINAGE AND GRADING:

THE DEVELOPER SHALL COMPLY WITH ALL REQUIREMENTS OF THE FERNLEY MUNICIPAL CODE CHAPTER 32 (DRAINAGE AND GRADING) AND CHAPTER 10 OF THE CITY OF FERNLEY'S PUBLIC WORKS DESIGN MANUAL TO THE APPROVAL OF ADMINISTRATOR, CITY ENGINEER, AND PUBLIC WORKS DIRECTOR.

THE DEVELOPER SHALL PROVIDE A DRAINAGE REPORT FOR THE PROJECT IN CONFORMANCE WITH THE CITY'S DEVELOPMENT CODE, MUNICIPAL CODE, AND THE PUBLIC WORKS DESIGN MANUAL FOR REVIEW AND APPROVAL BY THE CITY ENGINEER. EACH SUCCESSIVE PHASE OF THE PROJECT SHALL SUBMIT AN UPDATED DRAINAGE REPORT FOR REVIEW AND APPROVAL BY THE CITY ENGINEER SHOWING THE CUMULATIVE EFFECT OF THE DEVELOPED PORTION OF THE PROJECT ALONG WITH THE PROPOSED PHASE'S EFFECT ON THE TOTAL DISCHARGE INTO THE DRAINAGE SYSTEM.

13. GRADING PERMIT:

THE DEVELOPER SHALL SUBMIT A GRADING PLAN FOR ANY PHASE OF THE PROJECT TO THE APPROVAL OF THE CITY ENGINEER. PRIOR TO THE ISSUANCE OF A GRADING PERMIT FOR THE DEVELOPMENT, THE DEVELOPER SHALL POST A SURETY BOND FOR REGRADING AND RECLAMATION OF THE SITE. THE DEVELOPER SHALL PROVIDE A STAMPED ENGINEER'S ESTIMATE FOR REGRADING AND RECLAMATION OF THE SITE. THE DEVELOPER SHALL COMPLY WITH ALL GRADING REQUIREMENTS SET FORTH IN THE CITY OF FERNLEY'S DEVELOPMENT CODE AS WELL AS ALL STATE AND FEDERAL REGULATIONS. THE DEVELOPER OR THEIR DESIGNEE SHALL BE RESPONSIBLE FOR OBTAINING AND MAINTAINING A STORM WATER POLLUTION PREVENTION PERMIT WITH THE STATE OF NEVADA AS WELL AS A SURFACE AREA DISTURBANCE PERMIT.

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14. PARKING:

PURSUANT TO §32.09.120(b), THE ADMINISTRATOR HAS DETERMINED THAT A SPECIAL CONDITION EXISTS. THEREFORE, THE DEVELOPER SHALL BE REQUIRED TO PROVIDE ONE (1) OFF-STREET PARKING SPACE PER BEDROOM FOR EACH RESIDENTIAL UNIT, BUT NOT LESS THAN 2 PER UNIT. THE DEVELOPER SHALL DEMONSTRATE COMPLIANCE WITH THIS REQUIREMENT WITH EACH BUILDING PERMIT SUBMITTAL.

15. STREETS:

THE DEVELOPER SHALL CONSTRUCT ANY ROADWAY IMPROVEMENTS NECESSARY TO SERVE THE PROJECT TO THE APPROVAL OF THE ADMINISTRATOR, CITY ENGINEER, AND PUBLIC WORKS DIRECTOR. THE DEVELOPER SHALL PROVIDE A FINAL MAP AND IMPROVEMENT PLANS THAT SHOW THE PROPOSED PINWOOD DRIVE AND ALL OTHER PROPOSED LOCAL STREETS CONSTRUCTED TO A 50-FOOT-WIDE RIGHT OF WAY STANDARD. THE FINAL MAP AND IMPROVEMENT PLANS SHALL ALSO SHOW THE CONNECTION TO THE PROPOSED MULTIFAMILY PROJECT TO THE WEST MODIFIED TO OPERATE AS A GATED EMERGENCY ACCESS ONLY WITH A GATE, SIDEWALK ACCESS AND COMMERCIAL DRIVEWAY.

16. TRAFFIC ANALYSIS:

THE DEVELOPER SHALL PROVIDE A TRAFFIC ANALYSIS REPORT FOR THE PROJECT THAT COMPLIES WITH CHAPTER 3 OF THE CITY OF FERNLEY DESIGN STANDARDS MANUAL TO THE APPROVAL OF THE ADMINISTRATOR, CITY ENGINEER, AND PUBLIC WORKS DIRECTOR.

17. TRAFFIC CAPACITY IMPROVEMENTS:

THE DEVELOPER SHALL COMPLETE MITIGATION MEASURES FOR US-95A/FREMONT/CHISHOLM TRAIL INTERSECTION. THE JANUARY 2020 TRAFFIC ANALYSIS FOR THE SHERWOOD VILLAGE FERNWOOD PROJECT RECOMMENDED SEPARATE LEFT TURN, THROUGH, AND RIGHT TURN LANES AT THE WEST FREMONT STREET AND EAST CHISHOLM TRAIL APPROACHES AS WELL AS OVERLAP PHASING FOR THE RIGHT TURN MOVEMENT AT THE WEST FREMONT STREET APPROACH.

OTHER POSSIBLE MITIGATION MEASURES INCLUDE, BUT ARE NOT LIMITED TO, SIGNALIZATION OR SIGNALIZATION IMPROVEMENTS, CHANNELIZED MEDIANS, TURNING LANES, STORAGE LANE INCREASE, RESTRICTED TURN LANES AND/OR ADDITIONAL LANES. ADVANTAGES AND DISADVANTAGES OF THE PROPOSED MITIGATION NEED TO BE INCLUDED WITH ANY PROPOSED MEASURES. THE PROPOSED MITIGATION MEASURE/S WILL NEED TO BE REVIEWED AND APPROVED BY THE ADMINISTRATOR, CITY ENGINEER, PUBLIC WORKS DIRECTOR, AND THE NEVADA DEPARTMENT OF TRANSPORTATION PRIOR TO THE RECORDATION OF A FINAL MAP.

THE MITIGATION MEASURE/S SHALL BE CONSTRUCTED TO THE APPROVAL OF THE ADMINISTRATOR, CITY ENGINEER, PUBLIC WORKS DIRECTOR, AND THE NEVADA DEPARTMENT OF TRANSPORTATION PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY.

18. GEOTECHNICAL REPORT:

THE DEVELOPER SHALL PROVIDE A FINAL GEOTECHNICAL REPORT FOR THE PROJECT IN CONFORMANCE WITH THE DEVELOPMENT CODE FOR REVIEW AND APPROVAL BY THE ADMINISTRATOR, CITY ENGINEER AND PUBLIC WORKS DIRECTOR PRIOR TO THE RECORDATION OF A FINAL MAP FOR ANY PORTION OF THE PROJECT.

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19. IMPROVEMENT PLANS:

WITH THE SUBMITTAL OF ANY FINAL MAP APPLICATION, THE DEVELOPER SHALL SUBMIT THE ASSOCIATED IMPROVEMENT PLANS FOR REVIEW AND APPROVAL. THE IMPROVEMENT PLANS SHALL BE APPROVED PRIOR TO THE RECORDATION OF THE FINAL MAP. THE UTILITIES AND INFRASTRUCTURE FOR EACH PHASE MUST OPERATE INDEPENDENTLY OF FUTURE PHASES YET TO BE CONSTRUCTED.

PRIOR TO THE APPROVAL AND RECORDATION OF A FINAL MAP FOR THE PROJECT, THE DEVELOPER SHALL CONSTRUCT ALL REQUIRED PUBLIC IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO, PUBLIC UTILITY AND ROADWAY INFRASTRUCTURE ASSOCIATED WITH THE PROJECT OR PROVIDE A SURETY BOND IN ACCORDANCE WITH THE PROVISIONS SET FORTH IN TITLE 32, IMPROVEMENTS AND AGREEMENTS, OF THE FERNLEY MUNICIPAL CODE.

20. NORTH LYON COUNTY FIRE PROTECTION DISTRICT:

THE DEVELOPER SHALL COMPLY WITH THE REQUIREMENTS OF THE NORTH LYON COUNTY FIRE PROTECTION DISTRICT TO THE APPROVAL OF THE ADMINISTRATOR AND THE FIRE CHIEF PRIOR TO THE APPROVAL AND RECORDATION OF A FINAL MAP.

21. RIGHT TO FARM:

THE DEVELOPER SHALL PLACE A NOTE ON THE FINAL MAP PROVIDING NOTICE TO ANY AND ALL SUBSEQUENT PURCHASERS OF "THE RIGHT TO FARM" PROVISIONS INCLUDED IN NEVADA REVISED STATUTES 40.140 AND THE CITY'S DEVELOPMENT CODE.

22. FINAL MAP PHASING:

THE PROJECT SHALL BE DEVELOPED IN A SINGLE PHASE. ANY FINAL MAP SHALL INCLUDE ALL PROPOSED LOTS AND SHALL BE SUBMITTED TO THE CITY FOR REVIEW AND APPROVAL BY THE ADMINISTRATOR, CITY ENGINEER, AND PUBLIC WORKS DIRECTOR.

23. FENCING:

AT THE TIME OF FINAL MAP SUBMITTAL, THE DEVELOPER SHALL SUBMIT A FENCING PLAN IN ACCORDANCE WITH THE REQUIREMENTS SET FORTH IN THE CITY'S MUNICIPAL CODE TO THE APPROVAL OF THE ADMINISTRATOR, CITY ENGINEER, AND PUBLIC WORKS DIRECTOR.

24. RESIDENTIAL CONSTRUCTION TAX:

THE DEVELOPER IS SUBJECT TO THE PROVISIONS OF FERNLEY MUNICIPAL CODE CHAPTER 26.02 – RESIDENTIAL CONSTRUCTION TAX. THE RESIDENTIAL CONSTRUCTION TAX FEE SHALL BE PAID PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR EACH SINGLE-FAMILY RESIDENCE.

25. UNITED STATES POSTAL SERVICE:

THE DEVELOPER SHALL PROVIDE AN EASEMENT FOR ANY NEW CLUSTER MAILBOX LOCATION TO THE APPROVAL OF THE ADMINISTRATOR AND LOCAL POSTAL INSPECTOR PRIOR TO THE APPROVAL AND RECORDATION OF A FINAL MAP.

26. WASTE MANAGEMENT SERVICE:

THE DEVELOPER SHALL PROVIDE A WILL SERVE FROM WASTE MANAGEMENT TO THE APPROVAL OF THE ADMINISTRATOR PRIOR TO THE APPROVAL AND RECORDATION OF A FINAL MAP.

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27. TRUCKEE CARSON IRRIGATION DISTRICT (TCID)/BUREAU OF RECLAMATION:

THE DEVELOPER SHALL COMPLY WITH THE REQUIREMENTS OF THE TRUCKEE CARSON IRRIGATION DISTRICT AND/OR THE BUREAU OF RECLAMATION RELATED TO ANY FACILITY OR EASEMENT WITHIN THE PROJECT BOUNDARY TO THE APPROVAL OF THE CITY ENGINEER, PUBLIC WORKS DIRECTOR AND ADMINISTRATOR PRIOR TO THE APPROVAL AND RECORDATION OF A FINAL MAP.

28. NEVADA DEPARTMENT OF ENVIRONMENTAL PROTECTION:

THE DEVELOPER SHALL COMPLY WITH ALL REQUIREMENTS OF THE NEVADA DEPARTMENT OF ENVIRONMENTAL PROTECTION- BUREAU OF SAFE DRINKING WATER AND BUREAU OF WATER POLLUTION CONTROL FOR THE WATER AND SEWER INFRASTRUCTURE DESIGN AND CONSTRUCTION TO THE APPROVAL OF THE ADMINISTRATOR, CITY ENGINEER AND PUBLIC WORKS DIRECTOR.