

MINUTES OF THE CHURCHILL COUNTY PLANNING COMMISSION

155 N. Taylor St., Fallon, NV 89406

August 14, 2024

1. Call to Order:

The regular meeting of the Planning Commission was called to order at 7:00 p.m. on August 14, 2024 by Chair Blakey.

Present: Eric Blakey, Chair; Scott Nelson, Vice Chair; Zack Bunyard, Member; Jeff Goings, Member; Mark Hyde, Member; and Paul Picotte, Member.

Absent: Deanna Diehl, Member.

Planning Staff Present:

Randy Hines, Public Works Director
Dean Patterson, Senior Planner
Loreli LeBaron, Code Compliance Official
Diane Moyle, Administrative Assistant

Civil D.A. Staff Present:

Joe Sanford, Deputy District Attorney

2. Pledge of Allegiance:

The Pledge of Allegiance was recited by the commission and public.

3. Public Comment:

There were none.

4. Verification of the Posting of the Agenda:

It was verified by Diane Moyle, Administrative Assistant, that the agenda for this meeting was posted on August 8, 2024, between 8:30 a.m. and 5:00 p.m., at all of the locations listed on the agenda, in accordance with NRS 241 and the Churchill County Code.

5. Consideration and possible action re: Approval of Agenda as submitted or revised:

Member Bunyard moved to approve the agenda as submitted. Member Nelson seconded the motion which carried by unanimous vote (6-0).

6. Verification of notification of all landowners in accordance with NRS and the Churchill County Consolidated Development Code:

Chair Blakey verified with the Administrative Assistant that notification was sent to all landowners in accordance with NRS and the Churchill County Code.

7. Consideration and possible action re: Approval of Minutes of the meeting held on:

A. July 10, 2024 Hearing

Member Picotte moved to approve the July 10, 2024 minutes as written. Member Nelson seconded the motion and the decision carried by unanimous vote (6-0).

8. Old Business

A. Consideration and possible action re: Renewal of a temporary use permit for temporary quarters during home construction filed by Aaron & Katherine Murray. The property is located at 2400

Lucas Road, Assessor's Parcel Number 008-112-15, in the A-5 zoning district.

The applicant was not available to speak regarding this application.

Director Hines gave a history regarding this permit and the progress toward construction of the primary dwelling. The permit was granted on September 12, 2018. During the past five years, Mr. Murray have made progress toward constructing their home with the installation of natural gas, septic system, concrete work, foundation, electrical, rough framing, and so forth. He noted that there was an inspection scheduled on August 8, 2024 for the electrical work. He pointed out that on the renewal application Mr. Murray stated that they were working on the interior electrical, insulation and drywall. Mr. Murray said that he had a bad fall, which delayed construction. Director Hines further noted that this permit is going on its sixth year, and under the new code changes for temporary use permits that are being proposed in another agenda item, this permit would only have been allowed for up to three years.

Chair Blakey asked if any of the commissioners had any questions or discussion. He suggested possibly postponing this item since the applicant is not available and the status of the construction is unknown. He asked if anyone had spoken with Mr. Murray to let him know to be at this meeting. Diane Moyle, Administrative Assistant, stated that she called and left a message for the applicant the day prior to the meeting reminding him to be at the hearing.

Member Goings would like to hear from the applicant before they make a decision.

Member Goings moved to postpone the renewal of the temporary use permit for temporary quarters during home construction for Aaron Murray at 2400 Lucas Road, APN 008-112-15 to the next meeting. Member Nelson seconded the motion, and the decision carried by unanimous vote (6-0).

Mr. Murray came in late to the meeting, and Chair Blakey recalled this item.

Aaron Murray, 2400 Lucas Road, apologized for being late as he forgot his hearing aids and had to return home to get them. There was some discussion about restating items said earlier, and Chair Blakey asked the applicant to bring the commission up to date with the project. Mr. Murray said that Ray Brown, Building Inspector, came out and did an in-depth inspection and everything is good. He said that they are now putting in sheet rock and flooring. He plans to be done by Christmas or the first part of next year. He expressed hopes that this would be the last renewal he needs to request.

Member Goings verified that the building inspection passed. Director Hines confirmed. Chair Blakey called for a motion.

Member Nelson moved to approve the renewal of the temporary use permit for temporary quarters during home construction for Aaron Murray at 2400 Lucas Road, APN 008-112-15 for one year. Member Goings seconded the motion, and the decision carried by unanimous vote (6-0).

B. Consideration and possible action re: Renewal of a temporary use permit for temporary quarters during home construction filed by Keary Basford. The property is located at 895 Howard Place, Assessor's Parcel Number 007-851-19, consisting of 17.0 acres in the A-5 zoning district.

Keary Basford, 895 Howard Place, was available to speak regarding this application.

Director Hines gave a history of the permit and progress toward the construction of the

primary dwelling. The permit was granted on August 12, 2020, and was granted extensions in 2021 and 2022. In 2023, the Planning Commission decided to deny renewal of the permit due to the lack of progress toward construction of the home. Mr. Basford appealed their decision to the Board of County Commissioners, who reversed the denial of the renewal of the temporary use permit. During the last four years, Mr. Basford has installed a well, power to the well, and a septic system. The building permit application was submitted in August 2023, but it has not been issued and the impact fees have not been paid for the residence. Director Hines noted again that the time that Mr. Basford has had since the permit was granted would exceed the time allowed under the new regulation that is being proposed for this type of permit, which would be a maximum of three years.

Chair Blakey asked the applicant if the applicant had anything to add. Keary Basford stated that he provided a letter with his renewal application outlining the progress he has made. He shared the history of trying to get people to come out and give him estimates for the home. He has had problems with getting people to respond, to come out to the site, and to provide a reasonable estimate for constructing the home. Mr. Basford said that he dedicated the water for the water right dedication requirement for that impact fee. He then provided an estimate from Cheek Construction in order to put in the foundation. Mr. Basford stated that his friend has a contractor that will come and give him an estimate for building the house. In order to save on materials and make the house bigger, he went ahead and made another floor plan, which he said was submitted to the department today. That, along with the estimate he has received, is where he stands at this time. He would like to get the foundation put in right away, and then move on to getting the house built. Chair Blakey inquired if he submitted the floor plan to the Building Department to get a permit or for them to review. Keary Basford said that it was a new plan. He had already submitted one last year, which was approved. He went ahead and made it bigger in order to save material and have the plumbing moved over. He said that he submitted it today to the Planning Department. Chair Blakey tried to verify that the new floor plan had been submitted, and Director Hines explained that with Jera Reidenbach, Permit Technician, being out of the office on inspections he has not been able to meet with her regarding any submissions made. Chair Blakey again asked if Mr. Basford had submitted the plans for a building permit, and Keary Basford responded that as soon as this floor plan has been approved, he would like to go ahead, weather permitting and once the foundation has been prepared, to construct the home. It was determined that he only submitted the floor plan via email, and he would apply for the building permit after the floor plan has been approved.

Member Picotte asked if Mr. Basford had a copy of the floor plan with him for this meeting, and one was provided for the commissioners to look at. A copy of this was made to accompany the minutes.

Member Nelson questioned if the quote from Cheek Construction was based upon the old or new floor plan. Keary Basford shared the estimate for the foundation for the new floor plan for the home. A copy of the estimate was made to accompany the minutes.

Chair Blakey inquired if Mr. Basford had a construction timeline schedule. He noted that the applicant started this process four years ago, and nothing has really happened during that time. Keary Basford remarked that he would like to, as soon as he could, get the foundation in; right away. Then he would move on to building the house. The timeline would depend on when Cheek Construction could do the work.

Chair Blakey asked if the commissioners had any questions or discussion.

Member Picotte questioned if Mr. Basford had any other option to live somewhere else until the home is built. Keary Basford said that he is living on his land in temporary housing right now.

This will be the eighth year that he has been there. Member Picotte verified what type of temporary quarters he is in, and Mr. Basford said that it is a travel trailer, and he has an Out West building there also. Member Picotte asked if this renewal were denied, would he have the ability to find other quarters for living. Mr. Basford responded that he couldn't afford that. He is on his land that he pays a mortgage on. He stated that everything is there now, and the septic was put in last year.

Member Goings reiterated that the Chair had asked for a timeline for construction and based upon the response he heard, he gets the impression that Mr. Basford will be another four to six years before any house is built. Keary Basford remarked that as soon as he gets the foundation in, then he can get the house built on top of it. He hopes that the foundation can be done before winter. It would all depend on Cheek Construction's schedule. Member Goings said that the commission wants to know what the timeline is and whether or not he would be requesting another renewal over the next few years before it gets done. Is this something that the applicant intends to fast track and start moving forward with? Mr. Basford said that once the foundation is in, they already have a contractor lined up to build the house based upon the estimate that falls within his budget.

Member Bunyard said that he has been on the commission for the last three or four years when Mr. Basford has come in for his renewals, and the applicant had indicated previously that he had lived there for about four years prior to code enforcement noticing him of the violation. He hasn't seen much progress toward building the home. He stated that based upon the proposed changes to come regarding these types of permits, this dragging things out will not be allowed. He wanted Mr. Basford to be aware that due to those changes, he needed to make progress toward building the house. He further pointed out that Mr. Basford has indicated that financing, COVID, and other items were the problem and the reason that he couldn't build the house. This is where he would just do a little thing at each renewal. He remarked that they are asking about the timing of his construction and wondered if Mr. Basford was prepared to go ahead and spend the money to get the house built in the next six months. Keary Basford responded that he is if the weather permits. As soon as the foundation is in, he intends to get the house built. Member Bunyard stated that the weather would not stop construction here.

Member Hyde said that he looked over the estimate provided by Cheek Construction, and it is a proposal for an estimate that could change with the submittal of engineered plans. He stated that the first thing that needs to happen is to get a set of engineered building plans that could be submitted to the Building Department for a permit. Mr. Cheek was going to provide a final estimate after he received a copy of the approved, engineered plans. What Member Hyde has seen so far are drawings and sketches and some assumptions of what it might be, but he doesn't see any evidence that there is an engineered set of plans that has been submitted to the Building Department so that the applicant can move forward. He inquired where Mr. Basford was in that process. Does Mr. Basford have a set of plans right now? Keary Basford responded that the first one that he submitted was okay for a permit, and it was engineered. This is just making it larger. Member Hyde reiterated that he looked at the quote from Cheek Construction, and it states that it is a budget estimate that will be updated once the engineered plans are received. Mr. Basford said that he thinks that the contractor who will build the house on top of the foundation once Cheek Construction gets it in. He thinks that the contractor would take this plan and do an engineered plan. He said that this was all new to him as he has never done this before. He has submitted an engineered plan with the first permit.

Member Picotte stated that he was looking at the concrete plans from Cheek Construction and they say that it is 640 square feet for the dwelling. He questioned if there wasn't a minimum square footage required for a permanent dwelling. Dean Patterson confirmed that certain zoning districts

have that requirement; however, this property's zoning doesn't have a minimum requirement.

Director Hines followed up on the engineered plans issue. He clarified that it depends upon the type of permit. If this is a home builder, they don't have to have an engineered set of plans. The Building Department would inspect the plans submitted and let the owner know what is required per code. The homeowner can provide a set of plans that doesn't necessarily have to be engineered. Member Goings then inquired if this plan that Mr. Basford provided would need to go through a plan review before permits are issued or are they submitting a set of plans and then asking for a permit at that point. How long does a plan review take? Director Hines thinks that it typically takes about a week. If it was submitted today (he couldn't verify at this time if it was), they could probably get a building permit next week if they are approved. Along with that building permit comes impact fees. Mr. Basford said that he already submitted for the water right dedication. Director Hines commented that there are other impact fees as well other than the water dedication. He confirmed that if Mr. Basford submitted the plans today, then the Building Inspector should be able to get with him next week. Member Goings asked if Mr. Basford had to submit a deposit or something with that? Will the plan review happen without any payment being made? Director Hines agreed that the plans would be reviewed without any fees being paid.

Member Nelson inquired if Mr. Basford got a building permit for the septic installation. Keary Basford couldn't hear the question. Director Hines stated that in 2022 Director Spross noted at the commission meeting that no inspection had taken place for the septic since it hadn't been installed yet. He didn't know if there was anything after that, and he said that he did get notice from the Building Department that they do not recall any septic inspections being done at this site. He indicated that he would follow up with Ray Brown, Building Inspector, tomorrow. Mr. Basford was surprised because that was two years ago. He remarked that John Hancock put the septic system in.

Member Hyde questioned if Mr. Basford had the funds available to complete this project this year. Keary Basford stated that he does. Member Hyde further commented that he doesn't believe that this project would be delayed due to weather issues.

Chair Blakey went over the options for the commission regarding a motion. Keary Basford explained that this has been a long process because it takes a long time to get estimates. Some of those estimates were too expensive, and he had to seek other contractors to get more estimates. Chair Blakey remarked that the commission needs to make a decision in order to make sure this project continues to move forward, and he stated that they could approve the permit for a period less than one year so that they can see some type of progress being made during that period. At some point, they would not be able to approve future renewals if nothing is going to happen toward construction of the home. Member Goings commented that they could renew the permit for 60 days to see if the plans have been accepted, the permit has been obtained, and once this commission starts to see that Mr. Basford has some investment in building a home, there may be less push back. At this point, they don't really see any investment in it other than a proposal and the plan that Mr. Basford says he submitted to the Building Department. He doesn't see that any of the impact fees have been paid or other money that needs to be invested that would prove to this commission that Mr. Basford is moving forward. Keary Basford said that he submitted the plans, they've been approved, he's dedicated water, and has now got an estimate in order to do the foundation. He is ready to pay for that, and that's an investment. When the time comes to pay the permit fee, he will pay that. Chair Blakey explained that should the commission decide to approve the renewal they could choose to do so for a shorter period of time than a year, and as long as Mr. Basford is doing what he says that he will do, there will not be an issue. If he does what he says he is going to do, then it could be renewed for a

longer period of time. They aren't saying that Mr. Basford is doing something wrong, they are trying to get him into compliance with the requirements.

Chair Blakey called for a motion.

Member Nelson moved to approve the renewal of the temporary use permit for temporary quarters during home construction for Keary Basford at 895 Howard Place, APN 007-851-19, for a period of 90 days. During that time, the applicant needs to obtain a building permit and pay the impact fees as required for the permit. Member Bunyard seconded the motion, and the decision carried by unanimous vote (6-0).

Chair Blakey went back to Agenda Item 8.A. since the applicant joined the meeting.

9. New Business:

A. Consideration and possible action re: An application requesting a variance for the age of a manufactured home filed by Darren Lewis, Black Rhino Holdings. The property is located at 1947 Potpourri Drive, Assessor's Parcel Number 008-221-02, consisting of 1.13 acres in the E-1 zoning district. The applicant wants to place a 2000 manufactured home on the parcel.

Darren Lewis, 5285 Alegre Lane, was available to speak regarding this application.

Dean Patterson, Senior Planner, stated that this application requests allowing the installation of a 2000 manufactured home, being 24 years old, in the E-1 zoning district. Churchill County Code requires that manufactured homes in the E-1 zoning district to be no older than 5 years from the date it is placed on the lot. The applicant seeks to waive this age requirement because the proposed unit is in good repair, has been renovated, and looks good. The application includes photos to support the claim. A new stick-built garage is also proposed to be constructed next to the home. The home at the existing location has a porch, and staff recommends that a similar porch be added to help the home fit better into the neighborhood. There are nearby manufactured homes on Hillsboro Boulevard. Staff visited the home at its current location on Lima Lane and concludes that it is of good quality construction. Most of the renovation work appears to be on the outside with some on the inside. The interior is in good condition with minor repairs needed of a 24 year old home such as painting throughout, minor wall repairs, bathroom fixture repairs, etc. The applicant verbally indicated that the finishing cosmetic issues would be fixed with renovation during the move to the new site, and doing so will bring the home up to a condition comparable to the neighborhood. Mr. Patterson said that the department didn't receive any comments regarding the application. Dean Patterson noted that there are four variance criteria reviewed in the staff report. Staff found no major issues with this proposal and recommends approval.

Chair Blakey asked if the applicant had anything to add. Mr. Lewis had an aerial photo showing the locations of the homes that he provided photos of with his application, and this was available for the commission. He further stated that the mobile homes in that area are generally of the same age as the one he proposes to bring to this property, and some of them may be older. He believes that this home would be similar to those already in this area. The issue isn't regarding this being a manufactured home; it is with the age of the home, which is why he is requesting the variance. He explained that he has been involved in construction for a long time and assured that this home would look good and in good condition. He plans to build a three car detached garage next to the home.

Darren Lewis said that this project is ready to be done, and it isn't one of those times when

someone says they are going to do something and eight years later nothing has been done. It is going to happen, and he plans to get it done fast. It will look nice. There are a few minor things that they will need to correct on the home, and these will be done with the manufactured home inspection. They will have to be. The subdivision is actually called the Potpourri and Harvey Lane subdivision, which has a blend of stick-built homes and manufactured homes. Towards the west side of Potpourri there are some newer homes that have been built. He believes that once they are finished with this home, it would actually bring up the values of the homes around it because it will be like a brand new home.

Chair Blakey inquired if any of the commissioners had any questions or discussion.

Member Hyde stated that he recused himself from this discussion due to a familial relationship with the applicant.

Member Goings say that he is very familiar with this subdivision. He asked if the only manufactured homes were the ones along Hillsboro Boulevard (as displayed in an aerial photograph on the overhead screen). Member Goings pointed out that those are outside of this subdivision (Potpourri Drive area). He stated that as he understands this subdivision was developed with stick-built homes. He thinks that may have a little bearing on what they are looking at regarding homes in that area. He believes that some of the property owners in that area might have something to say about having a 24 year old manufactured home in this subdivision with a lot of stick-built homes. Darren Lewis explained that he can place a manufactured home in this subdivision based upon the zoning. The issue is with the age of the manufactured home they want to place there. He pointed out that there are no CC&R (Covenants, Conveyances and Restrictions) on these properties restricting the placement of a manufactured home. He further commented that the home he is proposing to use is already in the county. Member Goings reiterated that he is requesting a variance, and the age of the manufactured home he is proposing is 24 years old. If they are looking at this subdivision, which consists of stick-built homes, he can put a manufactured home there, but the argument is whether it can be 24 years old or not.

Member Picotte questioned if Mr. Lewis would put this manufactured home on a foundation and convert it to real property. Darren Lewis responded that he would be required to do this. He stated that they have already submitted the plans for everything through the building department.

Chair Blakey asked about construction on the lot that can be seen in the aerial photograph displayed on the overhead screen. Darren Lewis explained that they initially thought that the code requirement was a 1985 or newer manufactured home, which is allowed in A-5 or A-10 zoning. They started excavating and put down some boards to prepare for the foundation while awaiting for the plans to be approved in the Building Department.

Member Bunyard expressed that he has a concern about the age of the manufactured home. If Mr. Lewis went and purchased a lot that was zoned A-5 or A-10, he would be able to move this home to one of those zoning districts. For this location, this zoning district, and the age of the manufactured home, he has a tough time deciding to approve this variance. If Mr. Lewis wanted to get a newer manufactured home to put on this lot, there wouldn't be an issue. Darren Lewis stated that he doesn't see the difference between this manufactured home and the newer ones. By the time he makes the improvements and adds the garage, he thinks it will look similar to homes in the area.

Member Nelson inquired if he had talked with any of the neighbors. He had talked to a couple of them that didn't seem to have any issues. Member Nelson then asked if the department had received any comments.

Chair Blakey called for public comment. He stated that there would be three minutes to speak

to the commission.

Duane Coy, 1671 Potpourri Drive, received a letter regarding this application as he is a property owner in the vicinity. He verified that the home proposed is a manufactured home, and then he pointed out that all of their homes are stick-built. He read the guidelines from the code that the manufactured home shall be no older than five years from the date that it will be affixed to the residential lot. His question is what sense is there to have guidelines if we are going to allow a variance. He suggests that the commission deny this variance for a 24 year old mobile home in their community since the homes in this area are of stick-built construction. They don't want their area turned into a mobile home park. He said that there are guidelines, and they should stick to these.

Dan Formentini, 1877 Potpourri Drive, said that he has been living there since 1996 and he had to build a stick-built home. He remarked that when Mr. Lewis decided to buy this property to put this house, he knew what the zoning was, and now he wants to change the rules for his benefit. Mr. Formentini has a problem with a mobile home being brought into this area with other stick-built homes. The other homes that were brought up are on Hillsboro Boulevard, not on Potpourri Drive. The applicant knew what the zoning was when he purchased the property, and now he wants to request this change.

Jason Maynez, 1859 Potpourri Drive, has owned his place for two years. He pointed out that the two manufactured homes mentioned previously are on Hillsboro Boulevard and not part of this subdivision. He doesn't believe that they are in the same zoning district. This property is in direct line sight to his property. He further commented that to his knowledge there is only one rental on Potpourri Drive. All of the other landowners reside in the homes. He inquired if this was going to be used as a rental, or if it would be placed for sale to seek a new homeowner. There are some strict guidelines for the area, and he would like to see these guidelines be enforced.

Chair Blakey asked the applicant to respond to the question asked by Mr. Maynez. Darren Lewis said that this being a manufactured home isn't an issue; it is with the age of the manufactured home. He explained that the age of the home doesn't necessarily indicate the condition of the home nor the value of the home. He said that whether he puts this home on the property or buys a new one to put there, they wouldn't look any different. The reason that a variance is part of the code is to allow things that are similar. He stated that he plans to sell the property.

Adam Stabler, 1775 Potpourri Drive, has been in the area for three years. He didn't understand why some people in the subdivision didn't receive a letter about this application. He found out about this application and meeting through another neighbor. Joseph Sanford, Deputy District Attorney-Civil, explained that it is based upon the distance from the proposed property. His issue with that is that Potpourri Drive is a dead end street on both ends. Everyone in the subdivision will have to drive by this property. There are guidelines for this area, and he thinks that that was known before Mr. Lewis even purchased this property. Mr. Lewis should have known these when he looked into the purchase of the property, knowing what he wanted to do with it. There's months of planning and approval prior to this application, and they only found out a couple of weeks ago about this variance. He feels like Mr. Lewis just wants to put something on there quickly in order to turn around and make a fast sale on this property. He thinks that this might be a nice and new looking mobile home, but it is still 24 years old. He thinks that there are stick-built houses in this area for a reason, and Mr. Lewis should have known about the zoning prior to buying the lot. He expressed his upset about not being notified since Potpourri Drive was a dead end street. He thought everyone should have been notified.

Mike Green, 1791 Potpourri Drive, pointed out that the residents take care of the road in that

subdivision. The county doesn't maintain the road. He has paid money and worked to maintain the roads out there. He understands that Mr. Lewis has a manufactured home, guidelines have been repeatedly stated that it is supposed to be no more than five years old to go onto that property, and this will be the first house that people see coming into the subdivision. Their properties are their primary investment, and this house will be the first one people see. Mr. Lewis says that it will look good, but it is still going to be a manufactured home where there are primarily stick-built homes. Whether people think so or not, that will be a factor in determining the value of a home in the area. He doesn't approve of this variance because this is their community, and they take care of it.

Chris Warren, 1893 Potpourri Drive, mirrors the thoughts of other residents from this area. It was stated that this is the Potpourri and Harvey subdivision, but the Harvey portion is a half mile away on the other side. If Mr. Lewis wants to put a manufactured home on the lot, then he should put a new one on there. He had a problem with the fact that it is a 24 year old manufactured home and said that it alludes to the kind of quality he wants to put on the lot.

Chair Blakey inquired if the applicant wanted to respond to any comments that have been made. Darren Lewis didn't have anything to add.

Member Goings pointed out that the zoning guidelines do allow a manufactured home on this lot, so they are only considering the variance for the age of the manufactured home to allow a 24 year old manufactured home to be used. He restated that if Mr. Lewis decides to place a manufactured home on the lot, he could put a new one on there, and it would meet the zoning requirements.

Chair Blakey asked for any further comments; there being none he called for a motion.

Member Nelson, based on the information provided in the application, in the staff report, and heard tonight, moved that the criteria found in CCC 16.08.090 have not been met and therefore deny the Variance application for Darren Lewis to place a 2000 model year manufactured home at 1947 Potpourri Drive (APN 008-221-02). Member Goings seconded the motion, and the decision carried by a vote of 5 (Members Blakey, Bunyard, Goings, Nelson, and Picotte) to 0 with 1 abstaining (Member Hyde).

B. Consideration and possible action re: A reversion to acreage map application filed by the State of Nevada Department of Wildlife. The property is located at 4058 & 4082 Reno Highway, Assessor's Parcel Numbers 008-461-78 and 008-461-77, consisting of 1.0 acre and 1.06 acres respectively, in the C-1 zoning district. The applicant wants to combine the two parcels into a single parcel.

Kris Urquhart, Nevada Department of Wildlife (NDOW), 4082 Reno Highway, was available to speak regarding this application.

Dean Patterson, Senior Planner, explained that this application is requesting a lot merger to combine two parcels of land owned by NDOW into one lot. One of these contains existing buildings and a parking lot, and the other was vacant until recently with a parking area being constructed. This was shown in an aerial photograph displayed on the overhead screen. The parcel line to be removed currently has a utility easement that is not being abandoned, so it will remain. This will affect any future building on the lot. He noted that the county has very little in the way of conditions related to changes to the reversion to acreage map, and there have been no comments regarding this application. The staff report finds no major issues of concern, and staff recommends approval.

Chair Blakey asked if the applicant had anything to add. Mr. Urquhart thought that it was

pretty straightforward, and he would answer any questions that the commissioners may have.

Chair Blakey inquired if any of the commissioners had any questions or discussion. There was none.

Chair Blakey called for public comment, and there was none.

Chair Blakey called for a motion.

Member Bunyard, based on the information provided in the application, in the staff report, and heard tonight, moved that the criteria found in CCC 16.04.040 & 16.04.050 have been met and therefore recommend approval of the Reversion to Acreage permit application for the Nevada Department of Wildlife to merge Assessor's Parcel Numbers 008-461-77 & 008-461-78 into a single parcel. This approval is subject to conditions, as listed in the Staff Report. Member Nelson seconded the motion, and the decision carried by unanimous vote (6-0).

Recommended Conditions:

1. *Changes shall be made for compliance with Churchill County Code, including but not limited to:*
 - a. *Adding a legend to the map.*

It was noted that this was a recommendation to the Board of County Commissioners and the motion was amended to reflect this.

- C. Consideration and possible action re: A special use permit application for Fleet Vehicle Parking/Maintenance and Long Term Parking filed by Ivan Rudkevich, Mountain Rock LLC. The property is located at 2528 Resource Drive, Assessor's Parcel Number 009-251-63, consisting of 5.0 acres in the Industrial zoning district. The applicant wants to park and maintain the business's truck fleet and to rent parking spaces for other large trucking businesses.

Ivan Rudkevich, 1541 Summerwind Circle, Reno, Nevada, was available to speak regarding this application.

Dean Patterson, Senior Planner, explained that this is an application that is requesting a special use permit to establish two similar uses, both of which requires a special use permit. The first use is a fleet vehicle parking and maintenance facility for Mountain Rock, who is the applicant, and they propose to operate part of their business here. The fleet vehicle parking will hold trucks in between jobs. A 30' by 50' shop is proposed to allow them to do minor maintenance work on vehicles. The second use is a long term parking operation. The applicant proposes to use the remainder of the site for paid long term parking of trucks and equipment. On inquiry the applicant indicates that the intent is to provide secured parking with keypad entry for another trucking business to store trucks in between jobs. The total truck parking is expected to be about 100 trucks or equipment as shown on the site plan provided with the application and displayed on the overhead screen.

Mr. Patterson continued that the staff report reviewed the application criteria and found no major issues of concern. One minor issue relates to fleet services with many expensive pieces of equipment that could attract criminal activity. The applicant proposes secured measures, which are also recommended in the conditions for approval. Another condition that is recommended since the project also fronts on US Highway 50A, NDOT (Nevada Department of Transportation) may have requirements that the applicant will need to coordinate with this agency. Their specific issues are related to stormwater and signage along the highway. There were comments received from the

Building Department, Fire Marshal and NDOT, and the applicant was provided with copies of these. Staff recommends approval of the application.

Chair Blakey inquired if the applicant had anything to add, and Mr. Rudkevich stated that he did not.

Chair Blakey asked if any of the commissioners had any questions or discussion. There was none.

Chair Blakey called for public comment, and there was none.

Chair Blakey then called for a motion.

Member Nelson, based on the information provided in the application, in the staff report, and heard tonight, moved that the criteria found in CCC 16.08.080 have been met and therefore approve the Special Use Permit application for Mountain Rock to establish a Fleet Vehicle Parking and Maintenance facility and Long-Term Parking facility at 2528 Resource Drive (APN 009-251-63). This approval is subject to conditions as listed in the Staff Report. Member Bunyard seconded the motion, and the decision carried by unanimous vote (6-0).

Recommended Conditions:

1. *This permit is subject to review in 1-year to show progress on meeting conditions of approval and conformance with County Code requirements.*
2. *The entire business must be in conformance with County Code, including but not limited to:*
 - a. *Business licenses must be maintained.*
 - b. *All necessary improvements as required by the Building Department must be completed. All building permits must be obtained.*
 - c. *Lighting shall be in compliance with Dark Skies requirements.*
3. *Security measures shall be installed to deter theft and other criminal activity, including security fencing and gate access.*
4. *All state and federal permits shall be obtained and maintained, including any stormwater control and signage requirements required by NDOT.*
5. *Operations of the entire business shall be conducted in a manner that does not create a nuisance (public or private) under Nevada law or Churchill County Code.*

Chair Blakey thanked the applicant and advised that there is a ten-day appeal period and to contact the department for further permitting procedures.

- D. Consideration and possible action re: A special use permit application to add used auto sales in conjunction with an existing automotive repair and body shop previously approved for Brenda Garabito, Bulldog Auto Sales LLC. The property is located at 3921 Arnold Way, Assessor's Parcel Number 008-411-55, consisting of 1.1 acres in the C-1 zoning district.

Brenda Garabito and Brayon Garabito, 3921 Arnold Way, were available to speak regarding this application.

Dean Patterson, Senior Planner, explained that this application is requesting to establish a standard vehicle sales lot for used cars in conjunction with the existing vehicle service and repair business onsite—Bulldog Restorations. They were granted a special use permit in May 2021 for an auto repair shop with a paint booth. Both businesses are owned and operated by the applicant.

According to discussions with the applicants the business operates as follows:

- They obtain vehicles that have been in collisions, often through auctions.
- They bring the vehicles to Bulldog Restorations shop and repair them.
- They deliver vehicles to the sales lot in the Reno area.
- They sell the vehicles at that sales lot.
- In addition, some direct vehicle repairs or estimates also take place.

The applicant now proposes to change this by moving the auto sales operation to Fallon at the front of the Bulldog Restorations site. The auto sales lot will be intimately linked with the repair shop.

Mr. Patterson stated that the first special use permit included a condition that the business shall be conducted in a manner that does not create a nuisance. Since then, the site has regularly been subject to enforcement action for an excessive accumulation of vehicles, including storing them on the streets along both sides of the site. A problem that encroaches on the level of being a nuisance. During enforcement contact vehicles get moved off of the street. There are too many cars to be contained within the screened area for long, and the cars get migrated back to the street. In addition, cars have recently been stored in a residential area on Carr Lane, which is another subject of enforcement action. Dean Patterson remarked that this illustrates the problem with auto repair shops. They accumulate large numbers of vehicles. A difficulty for this application would be in keeping the auto repair shop vehicles within the property when the auto sales lot will also be adding to the number of vehicles on the lot. In reviewing the site plan (displayed on the overhead screen), the car sales lot will be along the north fence, customer parking will be in the front along the west fence, employee parking will be in the front area along the east fence, and the remainder of the lot will be used for vehicle storage for the repair business.

Dean Patterson said that the five special use permit criteria are reviewed in the staff report. Criterion 1 relates to the compatibility and the surrounding land uses. While the auto sales lot is a commercial business in a commercial zone, the accumulation of excess vehicles extend off of the site and create compatibility problems for surrounding properties. If the application is approved, a recommended condition of approval is that vehicle purchases must be curtailed to match the rate of vehicle disposal. A related condition of approval is that the operation of both businesses must be maintained within the parcel and not extend to the adjacent streets. If there is difficulty in maintaining both businesses on the lot then a separate sales lot should be considered.

Criterion 2 relates to the conformance with the Master Plan and the development code. The code requires that a business provide adequate parking for its operations, which has been the subject of enforcement actions. If the application is approved, conditions should ensure that the business is operated within the site.

Criterion 3 relates to not overburdening public services and infrastructure. The staff report didn't find any issues regarding this application. Criterion 4 relates to road and traffic impacts. The staff report points out that part of the problem is that the usable area of the site is reduced by road easements, which makes the lot closer to a half-acre. This makes the problem of excess cars migrating onto the road worse. Adding a new business to the repair shop site reduces the space to manage cars related to the repair shop. It also increases the likelihood that the repair shop cars will bleed out onto the adjacent roads unless something is changed in the management of the repair shop's vehicles as recommended in the conditions of approval.

Criterion 5 relates to the environmental impacts. The most likely environmental impacts will be excess business vehicles being parked on the street, which can impede road operation, impede operations of other businesses, and makes the area less appealing for customers. The two combined

businesses will make these more problems more likely. If the application is approved, there are recommended conditions of approval to help control excess vehicles. There were no comments received on this application. The staff report did not make a recommendation regarding this application.

Chair Blakey asked if the applicant had anything to add. Brenda Garabito noted that the aerial photos showed how their property looked in the past. She said that they had met with Dean Patterson and had him come to the lot to see if it would accommodate both businesses. She provided new photos of what it looks like now after they have been organizing things better. She noted that Mr. Patterson mentioned various code violations, but she was only aware of one time. After they had the conversation with Dean, they learned what they needed to do. She reiterated that the photos displayed were old ones.

Chair Blakey questioned if the Code Compliance Official had anything to state regarding this site. Loreli LeBaron, Code Compliance Official, stated that there has been a history of code compliance involvement at this particular property and an additional property that they recently purchased. After meeting with the applicant, they have noticed that the easement area around the property is cleared of vehicles, including across the street from the store frontage. Since their meeting, she has noted some improvement. Chair Blakey inquired when the meeting took place, and Ms. LeBaron indicated that it was about two weeks prior. Chair Blakey stated that he visited the site this week and he concurred with Ms. LeBaron's findings that the property had been cleared of the excess vehicles.

Chair Blakey inquired if the commissioners had any discussion or questions.

Member Goings asked how many cars they sell at their current lot in Reno, and Mrs. Garabito responded that she has had about 15 cars at that location. Member Goings expressed concern about the number of cars because on the application she is showing an area for about six cars, and she just stated that she usually has about 15 cars available for sale, and there are already problems with just the repair shop. He reiterated the staff recommendation that they wouldn't be able to store any more cars that they are able to sell—as cars sell, then they could bring more in. What plan is there to keep these numbers in check? Brenda Garabito said that she is trying to condense the business. The sales part is not going to be their main business, and they have been trying to concentrate more on their body shop business. She would like to continue to be able to sell a few cars in order to maintain her dealer license. For the space, the auto body shop has a lot of cars coming in and out. There are some vehicles that don't stay on the property for very long. Member Goings asked to view the aerial photograph of the property, and he said that he was doing some counting and based upon her site plan it appeared that there was space for about 44 cars, other than those for sale, customers, or employees. It looks to him that there are more than 44 vehicles there. He is concerned about them keeping the vehicles contained on the site. Brayon Garabito remarked that their goal is to maintain the front of the shop clear. They do not want to travel anymore. Brenda Garabito pointed out that the aerial photo was an old picture, and most of those cars are gone from the lot. In the pictures that she provided they can see what it looks like now.

Member Nelson asked to see the site plan as proposed in the application (displayed on the overhead screen). He inquired if they could operate their business based upon this site plan, and they would not need anymore parking. Brayon Garabito agreed that they would. Member Nelson stated that if they grant this special use permit, this is what they are granting, so there can't be cars on the street, there can't be cars on Carr Lane, and there can't be any of that stuff anymore. He remarked that they submitted this plan, and they would need to live with it.

Member Hyde said that the commission supports businesses in Fallon, and they want them to succeed. He reiterated what Member Nelson said that this must be kept confined to this site. He thinks that they are showing forth good faith to make that happen. He is very much in support of this as long as they can keep everything on the lot.

Chair Blakey called for public comment, and there was none.

Chair Blakey called for a motion.

Member Hyde, based on the information provided in the application, in the staff report, and heard tonight, moved that the criteria found in CCC 16.08.080 have been met and therefore approve the Special Use Permit application for Bulldog Auto Sales to establish a Standard Vehicle Sales facility located at 3921 Arnold Way (APN 008-411-55). This approval is subject to conditions as listed in the Staff Report. Member Nelson seconded the motion, and the decision carried by unanimous vote (6-0).

Recommended Conditions:

1. *This approval is limited to operation by the applicant only (Brenda Garibito); and limited to the facility described in the application, including the transfer of damaged vehicles through the repair shop to the auto sales lot. Changes to this requirement must receive a new SUP.*
2. *This permit is subject to annual review to show progress on meeting conditions of approval and conformance with County Code.*
3. *The site must be constructed and operated in conformance with County Code and building permit requirements, including but not limited to:*
 - a. *Outdoor storage of inoperable vehicles shall be inside a visually screened vehicle storage yard.*
 - b. *Parking of business-related vehicles shall be in conformance with County Code. Both businesses shall be operated in a manner to contain all business-related vehicles for both businesses within the property. This includes curtailing the purchase of vehicles to match the rate of various means of vehicle disposal, and also includes avoiding the long term storage of vehicles.*
 - c. *Lighting must meet Dark Skies code requirements*
4. *State and federal permits and requirements shall be maintained in good standing.*
5. *Operations shall be conducted in a manner that does not create a nuisance (public or private) under Nevada law or Churchill County Code.*

Chair Blakey thanked the applicant and advised that there is a ten-day appeal period and to contact the department for further permitting procedures.

- E. Consideration and possible action re: An application requesting a variance from the side setback filed by Robison Engineering for Peek Brothers Construction. The property is Assessor's Parcel Number 009-251-66, with the business address being 2082 Resource Drive, consisting of 3.75 acres in the Industrial zoning district. The applicant intends to expand an existing building, which will not meet the side setback requirement.

Chair Blakey noted that items E and F are regarding the same business with the same applicants, and they may be discussed at the same time.

Travis Peek, Peek Brothers Construction, 2082 Resource Drive, and Nathan Robison, Civil Engineer with Robison Engineering in Sparks, Nevada, were available to speak regarding this application.

Dean Patterson, Senior Planner, explained that these last two applications involve Peek Brothers Construction. The first application is a variance in order to reduce the side setback in order to expand a building, which is also the subject included in the special use permit application. The Industrial zone has a 20' side setback, and the proposed variance will reduce the setback by 9', leaving an 11' setback to the property line. The property line in question is one of the interior abutting lines of three separate parcels that comprise the business site for Peek Brothers Construction. He demonstrated this on the aerial photograph displayed on the overhead screen. The staff report reviews the four variance criteria and finds no major issues since this involves an interior lot line used by the same business and no other landowners will be affected. There were no comments provided on this application. Staff recommends approval for the variance.

Mr. Patterson stated that the special use permit application is requested to expand the existing Peek Brothers Construction business. The five special use permit criteria are reviewed in the staff report. Criterion 1 relates to the compatibility with surrounding land uses. This being an industrial use in the Industrial zoning district, there were no compatibility issues. Criterion 2 relates to conformance with the master plan and development code. The main issues that the staff report identified were completion of code requirements for the initial development, including landscaping, screening, and final approval for the commercial septic system to be used for the office. Staff recommends that a condition of approval for completion of the code requirements for the development be included. In addition, there is a matter of setback requirements, which is the subject of the variance. Dean Patterson noted that the staff report incorrectly describes the building condition as proposed under the parking requirements. The existing shop building on the property is about 7500 square feet and will be enlarged by approximately double. He showed these on the aerial photograph displayed on the overhead screen. The site provides sufficient parking areas for the business.

Dean Patterson continued by saying that the other three criteria relate to not overburdening public services and infrastructure, road and traffic impacts, and environmental impacts. No major issues were identified in the staff report. The Building Department had comments, and the main issue was to follow up on the commercial septic system. Staff recommends approval of the special use permit.

Chair Blakey asked if the applicant had anything to add. Nathan Robison remarked that Travis Peek runs a very tight ship at this location. He said that this construction project was started in good faith under a set of rules that may have been a little unclear. They have been blindsided by some of these. They are moving aggressively to correct the septic system, which is a state regulated commercial septic system. He expressed on behalf of Mr. Peek that he felt like he was operating well within compliance, and even ahead of compliance with the code. It is a well landscaped, attractive area, and they were not aware of any deficiency in things, like trees, that were required. He further noted that there are technical problems out there due to the codes required. There isn't very good soil and the water is bad for growing vegetation. It is hard to get things to grow there. A reverse osmosis system would be a pretty extraordinary measure. The fact that there are some native grasses and plants attractively arranged with rocks and such demonstrates that they are on the same page here. He suggested that the operations be sort of "grandfathered in" by complying with the spirit of the law, even if there are a few things that they could improve on. He commended the departments for helping them work through the processes. He thinks that Churchill County has gone above and beyond to

work with them.

Travis Peek explained that his business was previously in Fernley, and he moved everything to Churchill County due to the unfriendly business environment in Fernley. He hasn't had any issues with establishing his business here until now. He expressed frustration over the unclear regulations and guidelines that were never explained until recently. Mr. Peek stated that the aerial photograph shown is very old, and he has done quite a bit to improve the site in the short amount of time that they have been there. There were comments about the landscaping requirements and how hard it is to get things to grow out there. He noted what he has done for landscaping and stormwater drainage at the site. He mentioned the lighting he has put in and the fact that neighboring properties have had problems with theft and burglary. The measures that he has taken to make sure that his site is secure and they are trying to go above and beyond what is required. Mr. Peek clarified that the site plan stated 11'; however, the building would actually be 16' from the property line at that location. He owns all of the property around it. The existing concrete was permitted originally, and this is what he is building on. He isn't going any further. He then pointed out that the property line where the existing shop is actually encroaches closer on that side, and this has all been done within the last three years that he has been at this location.

Travis Peek remarked that concerning the septic system he does this for a living. He is involved with grading, big utility projects, septic systems, etc. One thing that he didn't realize in Churchill County, NDEP (Nevada Division of Environmental Protection) is involved with commercial septic systems. To even infer that those septic systems were not submitted and approved, he takes a big issue with that, and whether there is documentation or whether it was something that didn't get approved or get done at the county, he doesn't really know or care. He doesn't like the inference that they did something out of code. He has gone over and beyond to make this property nice and to do the right things. When they were asked to put up a privacy fence on the once side, they did that. He spent \$100,000 just to do that. What he has a hard time with this is that from a business standpoint and looking at this variance, he has been trying to get this thing going since before April, and he had a contractor set up to be able put up the building in May, and he has been going through this whole thing for this long. If he was a larger company, like Polaris, looking to do work in Churchill County and running numbers of what they are not able to make right now (while he is waiting), he would be a little bit frustrated and upset. Time is money, and this is a situation where the building will be 16' from the property line, and he owns the property on the other side of it. He would have rather had a piece of paper that he needed to sign waiving the setback for him and any future owner of the properties than to have to go through this process. He complained that this process has taken so long, and this is just to support the existing business. It isn't that he is bringing in more people or doing any of those things.

Chair Blakey reminded the commissioners that they are speaking about two matters that are on the agenda, and he inquired if any of the commissioners had any questions or discussion.

Member Goings expressed his opinion regarding trees out in that area that he hasn't seen anything be able to stay alive out there. He reiterated that this would require a variance as well because it is in the code at this time. He pointed out that Fernley Business Park got a variance from the landscaping requirement also because there isn't much to get trees to grow out there. Member Goings thinks regarding this variance that the reason they are asking for this variance is because it isn't meeting the code requirement. It isn't that we are trying to deter you. He had to come before this commission because they are the ones that can authorize a variance from the code. Travis Peek explained that his problem is that it is an existing concrete slab that was permitted at one time, and

now there is an issue with the setback because he wants to construct a building on the slab.

Director Hines reemphasized that this is the applicant's property adjacent to the setback he is seeking the variance for, and if he sells that property, then that is where the issue comes into play. Another solution for this issue is to do a boundary line adjustment to make sure that the property line is adjusted in order to meet the setback. Travis Peek pointed out that there is plenty of room around that building for a fire line, so a 20' setback isn't necessary. Also, there isn't anything constructed on the other property. He understands what the issue is and if he were to sell the property, and that is why he said that he would rather have had to sign a form and pay a fee instead of going through this process. He doesn't plan on selling the other property, and if he did, he would sell all of it together. Director Hines stated that he doesn't think that the landscaping requirement specifies trees per se. They just need a landscape plan, so he could just put down what he has got out there for us to approve. Travis Peek questioned if anyone has been out there, and Director Hines verified that they have been. Mr. Peek asked if they hadn't seen the landscaping that is out there; he spent \$35,000 on just plants. The whole front of the site is landscaped. This is where he is struggling to understand what they want from him because compared to any property in this county he has done a lot. Nathan Robison didn't anticipate that the addition to the use would trigger compliance with current landscaping standards and percentages. There was more discussion related to the landscaping, and Chair Blakey suggested that they present what they have already done at the site on a landscape plan for the department. They may decide that what you have completed is sufficient to meet the code. Member Nelson noted that the landscaping code is pretty broad, and he pointed out that antique equipment, boulders, and other such things can also be considered as part of landscaping without having to put in plants or trees. He doesn't think that they need a landscape architect, and they could come up with a plan to submit for approval.

Chair Blakey called for public comment. There was none.

Chair Blakey called for a motion for the variance.

Member Bunyard, based on the information provided in the application, in the staff report, and heard tonight, moved that the criteria found in CCC 16.08.090 have been met and therefore approve the Variance application for Peek Brothers Construction to reduce the side setback on APN 009-251-66. This approval is subject to the conditions as listed in the Staff Report. Member Nelson seconded the motion, and the decision carried by unanimous vote (6-0).

Recommended Conditions:

1. *The approved variance is ONLY for the proposed building expansion, and does not apply to other buildings or setback locations.*
2. *All Building Department requirements shall be met, and all necessary permits obtained.*
3. *The approval of this variance expires one year from the date of the final decision. Construction must be started before expiration.*

F. Consideration and possible action re: A special use permit application for expanding the existing use of Construction Contractor with heavy equipment and outside storage filed by Robison Engineering for Peek Brothers Construction. The property is Assessor's Parcel Number 009-251-66, with the business address being 2082 Resource Drive, consisting of 3.75 acres in the Industrial zoning district. The applicant proposes to expand a building for the business.

This application was discussed with the previous item.

Member Nelson, based on the information provided in the application, in the staff report, and heard tonight, moved that the criteria found in CCC 16.08.080 have been met and therefore approve the Special Use Permit application for Peek Brothers Construction to expand a Construction Contractor with Heavy Equipment & Outside Storage facility located on APN 009-251-66, business address 2082 Resource Drive. This approval is subject to the conditions as listed in the Staff Report. Member Goings seconded the motion, and the decision carried by unanimous vote (6-0).

Recommended Conditions:

- 1. This permit is subject to review in 1-year to show progress on meeting conditions of approval and compliance with County Code requirements .*
- 2. The entire business must be in conformance with County Code, including but not limited to:*
 - a. Business licenses must be maintained.*
 - b. All building permits must be obtained, and necessary improvements installed. This includes providing documentation of final state approval for the commercial septic system, as required by the Building Department.*
 - c. The applicant must work with Planning Department staff to finalize and implement the landscape plan.*
 - d. The screening of outside storage areas shall be completed.*
 - e. Required setbacks shall be met except as approved in the Variance application accompanying this permit application.*
- 3. Operations of the entire business shall be conducted in a manner that does not create a nuisance (public or private) under Nevada law or Churchill County Code.*

Chair Blakey thanked the applicant and advised that there is a ten-day appeal period and to contact the department for further permitting procedures.

10. Code Changes :

- A. Consideration and possible action re: Bill 2024-D Ordinance 32, an Ordinance amending Title 16 of the Churchill County Code to provide the planning director administrative authority to issue temporary use permits, and other matters related thereto.

Joseph Sanford, Deputy District Attorney-Civil, went through the proposed changes to the code related to planning. He noted that they have discussed these changes many times previously, so he summarized the major changes that are being requested.

1. Granting authority to the director to review and issue temporary use permits.
2. Requiring additional documentation prior to the issuance of a temporary use permit in certain circumstances. Specifically, for the permits for home construction and those for the hardship/caretaker. This will require more details and plans than has previously been required for those related to home construction.
3. Limiting the period of renewal for construction of permanent residential and non-residential facilities to three (3) years.
4. There is also a change related to those for farm labor. We had an application in the past for a

temporary use permit for farm labor for an agricultural operation that wasn't even located in Churchill County. This change would make it where the farm labor temporary residence would need to be located on the agricultural property or an adjacent property to that operation in the county.

Chair Blakey inquired if there were any questions or discussion from the commission. There were none. He then asked if there was any public comment, and there were none.

Chair Blakey called for a motion.

Member Goings moved to recommend that the Board of County Commissioners approve the changes outlined in Bill 2024-D Ordinance 32. Member Bunyard seconded the motion, and the decision carried by unanimous vote (6-0).

- B. Consideration and possible action re: adoption of an amendment to the Bylaws of the Churchill County Planning Commission relating to the time and date of planning commission hearings.

Joseph Sanford, Deputy District Attorney-Civil, went through the proposed changes to the by-laws of the Planning Commission. He said that there are other parts of the by-laws that needed to be revised; however, he was concentrating on changing those that affect the commission's ability to change the day, time and type of meeting to be held and when.

Member Hyde moved to recommend that the Board of County Commissioners adopt the changes outlined in the By-Laws of the Churchill County Planning Commission. Member Bunyard seconded the motion, and the decision carried by unanimous vote (6-0).

- C. Consideration and possible action re: setting a regular time and date for planning commission meetings.

Joseph Sanford suggested that they set the date to remain on the second Wednesday and move the time to one hour earlier as previously requested. Chair Blakey inquired if a different day or time for the planning commission regular meetings was desired. There was discussion regarding other conflicting meetings and times that might be better for everyone. Diane Moyle, Administrative Assistant, noted that if they change the date of the meeting from the second Wednesday, it will affect the deadlines for receiving applications that had been set for this year since they are set based upon when the meetings have been scheduled.

Member Bunyard moved to set the day and time for the regular planning commission meeting to the second Wednesday of each month beginning at 6:00 p.m. Member Nelson seconded the motion, and the decision carried by a vote of 5 (Members Blakey, Bunyard, Goings, Nelson and Picotte) to 1 (Member Hyde).

11. Consent Agenda: All matters listed under the Consent Agenda are considered routine and may be acted upon by the Planning Commission with one action and without an extensive hearing. Any member of the board or any citizen may request that an item be taken from the Consent Agenda, discussed and acted upon separately during this meeting.

- A. Consideration and possible action re: Termination of a temporary use permit for

hardship/caretaker previously granted to Tabatha Cavanaugh. The property is located at 14188 Carson Highway, Assessor's Parcel Number 007-071-54, in the A-10 zoning district. The applicant stated that the permit is no longer needed and should be terminated.

Member Bunyard moved to approve the consent agenda as submitted. Member Goings seconded the motion, and the decision carried unanimously (6-0).

12. Public Comment:

Director Hines stated that the department will be moving to the new location at 270 S Maine Street next Friday, August 23, 2024. The office will open for business at that office on Monday, August 26, 2024. Staff meetings will be held at that new location in the future.

13. Adjournment:

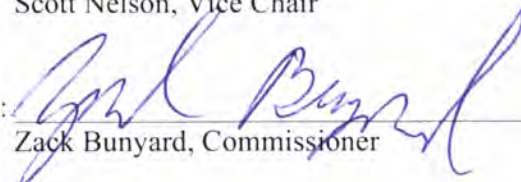
There being no further business to come before the Planning Commission, Chair Blakey adjourned the meeting at 9:02 p.m.

14. Appendix:

Supporting Documentation

Approved: 
Eric Blakey, Chair

Approved: 
Scott Nelson, Vice Chair

Approved: 
Zack Bunyard, Commissioner

Approved: Not available
Deanna Diehl, Commissioner

Approved: 
Jeff Goings, Commissioner

Approved: 
R. Mark Hyde, Commissioner

Approved: Not Available
Paul Picotte, Commissioner

ATTEST:


Diane Moyle, Administrative Assistant



CHURCHILL COUNTY
PUBLIC WORKS, PLANNING, & ZONING

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STAFF REPORTS FOR
PLANNING COMMISSION MEETING – AUGUST 14, 2024

LIST OF STAFF REPORTS

- Lewis Variance from Age of Manufactured Home Page 2
- NV. Dept. of Wildlife Reversion to Acreage Page 4
- Mountain Rock Special Use Permit - Fleet Vehicle/Maint. & Long-Term Parking Page 6
- Bulldog Auto Sales Special Use Permit for Std. Vehicle Sales w/complications Page 9
- Peek Bros Variance from side setback Page 13
- Peek Bros Special Use Permit - Construction Contractor w/Heavy Equip. & Mtls Page 15
- Consent Agenda Page 18

Application:	Variance from age requirement of manufactured homes in the E-1 zone
Applicant:	Darren Lewis of Black Rhino Holdings
Owner:	Darren Lewis of Black Rhino Holdings
Site:	1947 Potpourri Dr. (APN 008-221-02) – 1.13 ac.
Designations:	Master Plan – Urbanizing // Zoning – E-1

Summary: The application requests allowing the installation of a 2000 manufactured home - being 24 years old - in the E-1 zoning district. CCC 14.16.075 requires manufactured homes in the E-1 zone to be no older than 5 years old. The applicant seeks approval for a variance from this age requirement, because the proposed unit is in good repair, has been renovated, and looks good. The application includes photos to support the claim.

The application also indicates that a new stick-built garage will be constructed adjacent to the home. The home at the existing location has a front porch structure attached – see pictures. On inquiry, the applicant indicated that it might be replaced at the new location, and staff recommends that this be a condition of approval to help the home better fit in with the neighborhood. The application indicates that “The home proposed to be placed is in “new like” condition”, and also notes that much renovation work has already been done. Staff visited the proposed manufactured home currently at 5420 Lima Lane, and concurs that it is of good construction quality, though not excellent construction quality. Most of the renovation work appears to be on the outside, with some on the inside. The interior is in good condition with minor daily living damage of a 24-year-old home such as needing paint throughout, minor wall and corner damage repair, bathroom fixture repairs, etc. The applicant verbally indicated that the finish and cosmetic issues will be fixed with renovation during the move to the new site. Doing so will bring the home up to a condition comparable to the neighborhood.

There are nearby manufactured homes on Hillsboro Blvd. There do not appear to be any on Potpourri Dr., though sometimes they are hard to identify.

In reviewing the request, the Planning Commission should refer to:

CCC 16.08.090(F) Findings: In order to approve a variance, the commission shall make the following findings:

- 1. The property is characterized by an extraordinary or exceptional situation or condition, such as exceptional narrowness, shallowness or shape, or it has exceptional topographic conditions at the time of enactment of the regulations.***

Applicant – Age of manufactured home might indicate condition, but this home is the exception. It has been renovated, and is better than when new. It will also have a garage.

Staff - The site itself has no special conditions. The existence of a good condition manufactured home of this age is exceptional.

- 2. The strict application of the regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property.***

Applicant – The home must be moved from its current location, and moving it to this location solves the problem. The applicant owns the home and property.

Staff agrees. Denying the variance would require using a site outside the residential zoning districts.

- 3. Granting of this variance will not be materially detrimental to the public health, safety, or welfare, or injurious to the property or improvements in the vicinity.***

Applicant - There are 2 other manufactured homes nearby. Other homes on the street are comparable to the proposed home. Pictures are provided.

Staff agrees. The installation of this 2000 unit that staff has verified is in good condition will not be materially detrimental to the public health, safety or welfare, or injurious to the property or improvements in the vicinity.

4. The proposed variance is consistent with the intent and purpose of this title.

The purpose and intent of the age requirement standard is to prevent the placement of, and encourage the removal of dangerous and substandard housing units from the community.

Applicant - Purpose is to maintain a level of quality and safety. Nobody wants homes in poor condition in the neighborhood. This home will not diminish the neighborhood because of its good condition, and will have a garage constructed.

Staff agrees. The condition of the manufactured home is good. New manufactured homes can be purchased that are of lesser quality but would meet the age requirement. The proposed unit is consistent with the intent and purpose of the title.

STAFF RECOMMENDATION:

APPROVAL

MOTION: The motion should be modified by the Planning Commission as needed.

- Based on the information provided in the application, in the staff report, and heard tonight, I move to find that the criteria found in CCC 16.08.090 **HAVE BEEN** met and therefore **APPROVE** the Variance application for Darren Lewis to allow a 2000 model year manufactured home at 1947 Potpourri Dr. (APN 008-221-02). This approval is subject to conditions, as listed in the Staff Report.

Recommended Conditions (NOT PART OF MOTION): Based on code requirements and issues raised during review of the project, the following conditions of approval are recommended to be included with any approval:

1. The approved variance is ONLY for the proposed manufactured home.
2. A porch that is of similar or better quality as the porch installed at the current location shall be provided at the new location.
3. All Building Department and Nevada Housing Division requirements shall be met and all necessary permits obtained; including but not limited to the installation of a permanent foundation.
4. The approval of this variance expires one year from the date of the final decision. The final placement permit must be approved before expiration.

Application:	<u>Reversion to Acreage Map</u>	Use Listing:	<u>Commercial - Offices</u>
Applicant:	<u>NV Dept. of Wildlife</u>	Owner:	<u>NV Dept. of Wildlife</u>
Representative:	<u>James Darrough - Arrow Pro Land Surveys and Consulting</u>		
Site:	4082 & 4058 Reno Hwy. (APNs: 008-416-77 & -78) ~2.06 total acres (+/-) with NO water-righted land.		
Designations:	Master Plan – Urbanizing // Zoning – C-1		

Summary: The applicant is requesting a lot merger (Reversion to Acreage) map to combine 2 parcels of land owned by the applicant into one lot. One existing lot contains buildings and parking lot, while the other has been vacant until recently, with a parking area being constructed. There is no indication that buildings will be constructed across the current parcel line. The merger will allow the applicant to operate the entire property as one unit. ***It should be noted*** that the parcel line to be removed currently has a utility easement that is NOT being abandoned and will remain. If a future building is planned across the former line, the utility easement will need to be abandoned. The resulting commercial use (with parking lot) will continue to meet the zoning code. ***Note that*** the County has very little discretion to deny or require changes to a Reversion to Acreage.

Criteria Review:

CCC 16.04.040(C) Design Standards: Churchill County has adopted development standards, which shall be complied with in all application submittals.

The proposed development must conform to the County Development Code. Conditions of approval will address specific issues.

- **Setbacks and Easements:** The proposed lot merger will not create setback or easement problems.
- **Sewer, water, and utility facilities:** The existing water well and septic systems are adequate for the commercial use. Consultation with utility and video service providers is not needed in this case.
- **Outside Storage, Parking and Loading, and Lighting Requirements:** Normally not applicable for land division proposals or lot mergers.
- **Generally:** Landscaping, friction zone buffering, signage, and community development fees are not applicable for lot mergers.

CCC 16.04.050(A) Conditional Development Approval: The [public works] director, planning commission or county commissioners are authorized to apply conditions to applications for development. Conditions are employed to development projects to ensure:

1. Conformity with the master plan.

The **Master Plan** establishes the Urbanizing Area. It is implemented through the existing C-1 zoning district on this site. Most Master Plan policies are not applicable to the issue of a lot merger. Both **GOAL LU 2** and Policy LU 2.1 discuss compatibility issues that are discussed under criterion 2. The lot merger will take two existing lots and create a lot greater than 2 acres in area.

2. Compatibility with existing adjacent properties and uses.

Intensity of future development will be reduced by eliminating one of the lots. The proposed lot merger is compatible with the adjacent residential uses.

3. Protection of the public health, safety and general welfare.

The proposed lot merger will not change existing conditions. It may actually enhance these protections by reducing the number of individual lots needing well and septic.

4. *That adequate public facilities and services are available to the development.*

The proposed lot merger will not change existing conditions. It may actually reduce the future demand on public services and roads by reducing the number of individual lots available for development. There are no public sewer and water facilities on or near the site. Private sewer and water service currently exist for the site, and will continue to be used. Power, communications, and gas services exist and will continue to be available. Future road traffic on the adjacent paved roads may be reduced by reducing the number of lots.

5. *As a part of the review and analysis of the development request, findings of conformance with the goals and objectives of the code and the master plan must be made in order to recommend approval and impose conditions. The conditions imposed by the staff may be modified by the final decision making body.*

Based on the above assessment, options for Findings are provided below.

STAFF RECOMMENDATION: **APPROVAL - as provided below.**

MOTION FOR DECISION: The motion should be modified by the Planning Commission as needed.

□ Based on the information provided in the application, in the staff report, and heard tonight, I move to find that the criteria in CCC 16.04.040 & -.050 **HAVE BEEN** met and therefore **APPROVE** the Reversion to Acreage permit application for the Nevada Dept. of Wildlife to merge APNs 008-416-77 & -78 into a single parcel. This approval is subject to conditions, as listed in the Staff Report.

Recommended Conditions (NOT PART OF MOTION): Based on code requirements and issues raised during review of the project, the following conditions of approval are recommended to be included with any approval:

- 1) Changes shall be made for compliance with Churchill County Code, including but not limited to:
 - a) Adding a legend to the map.

Application:	Special Use Permit for Mountain Rock
Use Listing:	Fleet Vehicle Parking and Maintenance <u>AND</u> Long-Term Parking
Applicant:	Ivan Rudkevich of Mountain Rock LLC
Owner:	Manuel Gonzalez on purchase contract to Mountain Rock LLC
Site:	2528 Resource Dr. (APN 009-251-63) – 5 ac.
Designations:	Master Plan – Industrial // Zoning – Industrial

Summary: The applicant is requesting a Special Use Permit (SUP) to establish 2 similar uses, both of which require a Special Use Permit (SUP).

- A Fleet Vehicle Parking and Maintenance facility for Mountain Rock trucks. Fleet vehicle parking will hold trucks until the next job calls them out. A 30' X 50' (1500 sf) shop is proposed to allow employees to do minor maintenance work on vehicles.
- Long Term Parking. The applicant also proposes to use the remainder of the site for paid long-term parking of heavy trucks and equipment. On inquiry, the applicant indicates that the intent is to provide secured parking, with keypad entry, for other trucking businesses that need to store trucks until the next job.

Total truck parking is expected to be around 100 trucks.

Criteria Review: *CCC 16.08.080(H): Findings from a preponderance of evidence must indicate that the proposed use:*

1. Is compatible with the existing surrounding land uses and development.

Master Plan designates the area around the site (excluding Fernley to the west) as Industrial. This is implemented by the Industrial zoning on the area. The land uses on all sides are vacant or in commercial or industrial use, including geothermal power facilities. This development is compatible with the other nearby uses.

2. Is in substantial conformance with the master plan and policies and will be constructed and operated in full compliance of this code.

The Master Plan establishes land use districts that are implemented by the zoning districts. ***Fleet Vehicle Parking and Maintenance & Long-Term Parking are listed uses*** in the use table for the Industrial zone as needing an SUP. Most Master Plan policies are not applicable to the development of industrial uses or are neutral in terms of general commercial activity. The main applicable section in the Master Plan is Chapter 11 Land Use, which requires protection of the community from new development.

Chapter 11 states: "The appearance of a community as seen from the main streets and highways expresses the community character and leaves a lasting impression on visitors and potential future residents and businesses. Special attention should therefore be given to the types of land uses that are permitted along these corridors. To promote a positive image of the County, all development within these gateways must adhere to appropriate ***landscaping and signage requirements*** and only those land uses that are aesthetically appealing should be encouraged."

Policy LU 2.1 In reviewing any development proposal Churchill County shall consider issues of community character, balance, sustainability, environmental impact, safety, aesthetics, and efficient service provision.

Compatibility is addressed in Criteria 1. The proposed development must conform to the County Development Code. Conditions of approval will address specific issues, including:

- **Setbacks and Easements:** Setbacks are: Street/Front - 40'; Rear- 30'; Side- 20'. The property has 2 street setbacks on Resource Dr. and US 50A, which are met. Both other lot lines have side setbacks, which are met.

The properties on Resource Dr. were created in a strange and complicated manner. They may or may not have utility easements along roads or internal parcel lines. However, the proposed building will be clear of any easement.

- **Business office, sewer and water facilities:** The business includes a shop with office area, water well, and septic system, which are adequate for the use.
- **Outside Storage Requirements:** Operable vehicles do not need to be screened, but material and non-vehicular equipment does. The application proposes a 6' privacy screened fence along the property lines, though adjusted to allow landscaping to be outside the fence.
- **Parking and Loading Requirements:** The parking code (including handicapped parking) does not have a listing for either of these uses; however, the very point of the businesses is to provide parking, and the entire site is available for parking. The Director determines that the 100 spaces plus additional site area are adequate. An ADA accessible space and a loading space is provided on the site plan next to the building.
- **Friction Zones:** All nearby uses are also commercial, industrial, or vacant. Friction zones do not apply.
- **Landscaping:** The landscaping code requires 1 parking lot tree per 15 spaces, and one is shown on the site plan next to the building. The Director determines that this applies to the normal customer and employee parking near the building, not to general parking throughout the property. The Code also requires a 10' landscape buffer along the Resource Dr. and highway frontages. These are shown on the site plan outside the screened fencing.
- **Lighting:** The site plan shows no lighting, and the application text indicates that minor security lighting is planned. The applicant has verbally acknowledged that Dark Skies Compatible fixtures will be used.
- **Signage Requirements:** The application proposes a sign that will be on the fence and around 8 sf in area. The NV Dept. of Transportation (NDOT) provided comments that signage may be subject to NDOT permitting/consultation. Coordination is a recommended condition of approval.
- **Water rights and impact fees:** Fees will be paid with the building permits.

3. *The project will be constructed and operated in a manner that will not overburden public services and infrastructure.*

The proposed business will be served by a private onsite well and septic system. Public water and sewer infrastructure will not be affected. Power and telecommunication service exists on-site. Public road infrastructure is discussed below. Fire service demand will be increased somewhat, but existing services are adequate.

The storage of large numbers of very valuable haul trucks and heavy equipment will be an attraction for criminal activity. However, the applicant has indicated that a security fence and gate will be used to provide a higher level of security. Staff recommends a condition to ensure the proposed security measures are installed. Police demand will be increased somewhat, but existing services are adequate. Services will not be overburdened.

4. Adequately mitigates road and traffic impacts generated by the construction and build out of the project.

County Code requires the site's access to meet County standards. Access for the site is taken from Resource Dr., which is in a 60' easement centered on the property lines. A paved access apron is proposed that will protect the pavement edge from breaking, and no impacts to the road are expected. NDOT provided comments that allowing the development's stormwater to impact NDOT rights-of-way is prohibited without their permitting. Coordination is a recommended condition of approval.

5. Does not create adverse environmental impacts, including, but not limited to, noise, glare, fumes, and odor that may be detrimental either to public health, public safety, or general welfare of the persons or property in the vicinity or the wildlife and/or natural resources.

Potential impacts from heavy traffic and noise levels can be expected, though traffic will depend on how often trucks go out to, and come back from jobs. It will be similar to other industrial areas. Potential impacts from traffic generated dust is mitigated by the proposed gravel parking area across most of the site. Only minor impacts are expected.

STAFF RECOMMENDATION:

APPROVAL

MOTION: The motion should be modified by the Planning Commission as needed.

□ Based on the information provided in the application, in the staff report, and heard tonight, I move to find that the criteria found in CCC 16.08.080 **HAVE BEEN** met and therefore **APPROVE** the Special Use Permit application for Mountain Rock to establish a Fleet Vehicle Parking and Maintenance facility AND Long-Term Parking facility at 2528 Resource Dr. (APN 009-251-63). This approval is subject to conditions, as listed in the Staff Report.

Recommended Conditions (NOT PART OF MOTION): Based on code requirements and issues raised during review of the project, the following conditions are recommended for any approval:

1. This permit is subject to review in 1-year to show progress on meeting conditions of approval and conformance with County Code requirements.
2. The entire business must be in conformance with County Code, including but not limited to:
 - a. Business licenses must be maintained.
 - b. All necessary improvements as required by the Building Department must be completed. All building permits must be obtained.
 - c. Lighting shall be in compliance with Dark Skies requirements.
3. Security measures shall be installed to deter theft and other criminal activity, including security fencing and gate access.
4. All state and federal permits shall be obtained and maintained, including any stormwater control and signage requirements required by NDOT.
5. Operations of the entire business shall be conducted in a manner that does not create a nuisance (public or private) under Nevada law or Churchill County Code.

Application:	Special Use Permit
Use Listing:	Standard Vehicle Sales // in conjunction with Bulldog Restorations vehicle repair
Applicant:	Brenda Garibito for Bulldog Auto Sales (& Bulldog Restorations)
Owner:	Bulldog Auto Sales LLC (also owner of Bulldog Restorations)
Site:	3921 Arnold Way (APN 008-411-55) – 1.1 acres
Designations:	Master Plan – Urbanizing // Zoning – C-1

Project Summary: The application is requesting to establish a standard vehicle sales lot for used cars, *in conjunction with* the existing vehicle service and repair business at the site. Bulldog Restorations received a Special Use Permit (SUP) in May 2021 for a auto repair shop that includes a paint booth. Both businesses are owned, operated, permitted by the applicant, and ownership of the property is under Bulldog Auto Sales. According to discussions with the applicant and her husband, the business operates as follows:

- Obtain vehicles that have been in collisions, often through auctions and often unlicensed.
- Bring the vehicles to the Bulldog Restorations shop and repair them.
- Deliver the vehicles to the sales lot in the Reno area.
- Sell the vehicles.
- Some vehicle repairs directly for customers also take place, often to restore or repair classic cars.

The applicant is now planning to change this by moving the auto sales operation to Fallon, at the front of the Bulldog Restorations site.

The first SUP included a condition that the business “shall be conducted in a manner that does not create a nuisance.” Since then, the site has regularly been subject to enforcement action for an excessive accumulation of inoperable vehicles, including storing them on the streets along both sides of the site; a problem that approaches the level of being a nuisance. During enforcement contacts vehicles get moved off the street, to be within the screened fence perimeter of the site. But there is too many cars to be held within the site for long, and the cars get migrated back to the street. In addition, cars have recently been stored in a residential area on Carr Lane, which is another subject of enforcement. This illustrates the primary problem with auto repair shops, almost without exception. Some can keep them tidy and some can’t, but they all accumulate large numbers of vehicles.

Because of the difficulty and complication with this site, the Director has determined that this proposed use must obtain a Special Use Permit under CCC 16.12.080.C to protect the public health, safety, or adjoining land uses. The difficulty will be in keeping the auto repair shop vehicles within the property when the auto sales lot will reduce the available area for vehicle storage to be even smaller than it currently is.

The application and conversations with the applicant indicated that the auto sales lot will be intimately linked with the repair shop. With repaired vehicles going straight to the sales lot. It sometimes occurs that vehicles are even sold before going to the sales lot. But it also occurs that a sale has occurred, but the car is held for a while.

Sales cars will be along the north fence. Customer parking will be in the front area along the west fence Employee parking will be in the front along the east fence. The remainder of the lot will be needed for vehicle storage for the repair business. The anticipated hours of operation are normal business hours - Mon-Fri, 10am-5pm. 1 employee is planned, though this may be the applicant herself. Vehicle deliveries will be scheduled before business hours. They estimate 1-2 customers per day.

Criteria Review:

CCC 16.08.080(H) Findings: Findings from a preponderance of evidence must indicate that the proposed use:

1. Is compatible with the existing surrounding land uses and development.

See Criterion 5 for assessment of environmental impacts on neighbors. The zoning district for the site and lands to the east, north, and west is C-1 running parallelling US 50. All of these nearby properties are vacant or used for commercial uses. South of the property is the Rambling River Ranches farm, which is the party that created this commercial area.

As seen in this case and others, auto repair business have trouble being compatible with adjacent uses because the vehicles storage area expands and often bleeds onto adjacent roads, often impeding road operation, operations of adjacent properties, and reducing customer appeal of the area. While standard repair shops tend to accumulate disabled vehicles as customers abandon them after learning repair costs or for other reasons, it is different for this situation. It may be the over-zealous purchasing of damaged cars that then have to be stored until they can be repaired that is the problem, and this is under the control of the owner.

A recommended condition of approval is that vehicle purchases must be curtailed to match the rate of repair, sale, or other vehicle disposal. A related recommended condition of approval is that the operation of both businesses must be maintained within the parcel, and not extend to adjacent streets. It is recommended that if there are difficulties with maintaining both businesses within the property, a separate sales lot be established at a different location. This will be important because continued enforcement issues may result in revocation of the SUP.

2. Is in substantial conformance with the master plan and policies and will be constructed and operated in full compliance of this code.

The **Master Plan** establishes land use districts that are implemented by the zoning districts. **Standard Vehicle Sales is a listed use** in the use table for the C-1 zone and must be reviewed through a Zoning Review. However, difficulties with this site trigger the need for a Special Use Permit.

Most Master Plan policies are not applicable to the development of commercial and industrial uses. The main applicable section in the Master Plan is Chapter 11 Land Use, which require protection of the community from new development.

GOAL LU 2 All new development must be comprehensively designed to ensure a sustainable, safe, and healthy environment that integrates into the surrounding neighborhoods.

Policy LU 2.1 In reviewing any development proposal Churchill County shall consider issues of community character, balance, sustainability, environmental impact, safety, aesthetics, and efficient service provision.

Also see compatibility issues discussed under criterion 1, above. The proposed development must conform with the County Development Code. Conditions of approval will address specific issues, including:

- **Setbacks and Easements:** The setback and easement requirements are met by the existing structures. No new or changed structures are proposed.
- **Office, Sewer, and water facilities:** The existing business has access to private community water provided to the nearby businesses. There is also access to a sewer line that is not yet active, so a septic system is installed. But the previous SUP requires the business to connect when the sewer services are available. The repair business owned by the applicant has an office that will be used for the auto sales business. No physical changes are proposed.

- **Signage and Lighting:** No signage is proposed, though a banner might be used later. No changes to outdoor lighting are proposed.
- **Outdoor Storage:** A vehicle storage lot already exists, and the perimeter fence is screened – being a solid wood fence that meets code requirements.
- **Parking and Landscaping Requirements:** The parking requirement for general retail and service is 1/300 sf. So the 4000 sf building needs 13 spaces, including 1 ADA accessible space, which would be distributed between customers, employees, etc. This would be for the whole building and both repair business and auto sales business. Since the entire site is devoted to various forms of parking, the Director determines the proposed customer and employee parking as adequate. As noted above, the main problem is the acquisition of excessive numbers of vehicles needing repair.

The landscaping code requires 1 parking lot tree and a landscape buffer along the street. These have been installed with the original business development.

- **Friction Zones:** Friction zone requirements do not apply between commercial uses, but commercial uses must be buffered from agricultural uses by providing a buffer plan. This site is already developed as a commercial use, so no additional buffering is needed.
- **Community Development Fees:** New businesses are subject to the County's Road Impact Fee and Water Fee (payment in-lieu-of water dedication) with building permits. However, no building permits are needed for this business.

3. The project will be constructed and operated in a manner that will not overburden public services and infrastructure.

There are no public sewer and water services available at the site. On-site sewer and water service currently exist and are adequate for the proposed business. Power is already at the site. Public road infrastructure is discussed below.

Demand for police service will be minimally increased due to the auto sales lot, but screening and security fencing will help reduce calls. Demand for fire service will remain mostly the same. The community police and fire services are capable of providing service.

4. Adequately mitigates road and traffic impacts generated by the construction and build out of the project.

The property takes access from Arnold Way, which is a publicly maintained paved road in a 60' easement centered on the property line. A 60' wide road easement runs along the east property line entirely on the property and greatly reducing the usable area of this 1 acre lot be closer to 0.5 acres.

The application estimates only a handful of trips for the new business. Arnold and Minnie have adequate capacity for the new and existing businesses. The problem is when the excess cars bleed out onto the adjacent roads, which is prohibited by the parking code and increases safety and operation problems on the road. Adding the new business to the repair shop site reduces the space to manage cars related to the repair shop. This increases the likelihood that the repair shop cars will bleed out on the adjacent roads, unless something is changed in the management of the repair shop's vehicles. See Criterion 1 for recommended conditions of approval.

5. ***Does not create adverse environmental impacts, including, but not limited to, noise, glare, fumes, and odor that may be detrimental either to public health, public safety, or general welfare of the persons or property in the vicinity or the wildlife and/or natural resources.***

The most likely potential environmental impact issues result from excess business vehicles being parked on the street, which can impede road operation, impede operations of other businesses, and makes the area less appealing for customers. The combined businesses will make those problems more likely. See Criterion 1 for recommended conditions of approval.

STAFF RECOMMENDATION:

NO RECOMMENDATION

MOTION FOR DECISION: The motion should be modified by the Planning Commission as needed.

□ Based on the information provided in the application, in the staff report, and heard tonight, I move to find that the criteria in CCC 16.08.080 ***[[HAVE BEEN / HAVE NOT BEEN]]*** met and therefore ***[[APPROVE / DENY]]*** the Special Use Permit application for Bulldog Auto Sales to establish a Standard Vehicle Sales facility located at 3921 Arnold Way (APN 008-411-55). This approval is subject to conditions, as listed in the Staff Report.

Recommended Conditions (NOT PART OF MOTION): Based on code requirements and issues raised during review of the project, the following conditions of approval are recommended to be included with any approval:

1. This approval is limited to operation by the applicant only (Brenda Garibito); and limited to the facility described in the application, including the transfer of damaged vehicles through the repair shop to the auto sales lot. Changes to this requirement must receive a new SUP.
2. This permit is subject to annual review to show progress on meeting conditions of approval and conformance with County Code.
3. The site must be constructed and operated in conformance with County Code and building permit requirements, including but not limited to:
 - a. Outdoor storage of inoperable vehicles shall be inside a visually screened vehicle storage yard.
 - b. Parking of business-related vehicles shall be in conformance with County Code. Both businesses shall be operated in a manner to contain all business-related vehicles for both businesses within the property. This includes curtailing the purchase of vehicles to match the rate of various means of vehicle disposal, and also includes avoiding the long term storage of vehicles.
 - c. Lighting must meet Dark Skies code requirements
4. State and federal permits and requirements shall be maintained in good standing.
5. Operations shall be conducted in a manner that does not create a nuisance (public or private) under Nevada law or Churchill County Code.

Application:	Variance from Side Setback
Applicant:	Robison Engineering Co. FOR Peek Brothers Construction
Owner:	P4 Properties LLC – Travis Peek
Site:	APN 009-251-66 – 5 acres. 1 of 3 parcels for the business at 2082 Resource Dr.
Designations:	Master Plan – Industrial // Zoning – Industrial

Summary: The applicant seeks approval to reduce the side setback to expand a building, which is the subject of the accompanying application for a Special Use Permit (SUP). The Industrial Zone has a 20' side setback. But proposed variance will reduce the setback by 9', leaving an 11' setback from the property line - a 45% reduction. The property line in question is one of the interior abutting lines for 3 total parcels that comprise the business site for Peek Brother Construction.

In reviewing the request, the Planning Commission should refer to:

CCC 16.08.090(F) Findings: In order to approve a variance, the commission shall make the following findings:

- 1. The property is characterized by an extraordinary or exceptional situation or condition, such as exceptional narrowness, shallowness or shape, or it has exceptional topographic conditions at the time of enactment of the regulations.**

Applicant - All the properties are commonly owned and operated as a single business. There is limited shop space. An existing concrete slab will be used for the building expansion and is the extraordinary condition.

Staff - The site is triangular in shape, making it more difficult to develop than more rectangular parcels. Businesses more commonly operate on single parcels. If the 3 parcels were a single parcel, there would be no need for a Variance. Both create exceptional conditions.

IT IS RECOMMENDED that the applicant consider merging the 3 lots in the future to eliminate the difficulties created by operating across 3 separate lots.

- 2. The strict application of the regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property.**

Applicant - Alternate layouts would inhibit heavy vehicle traffic on the property.

Staff agrees.

- 3. Granting of this variance will not be materially detrimental to the public health, safety, or welfare, or injurious to the property or improvements in the vicinity.**

Applicant - There are no residential neighbors to affect. Ownership of adjacent property is under the business. Employees, vehicles and operations won't change – just enclosing maintenance area.

Staff agrees. No other parties will be affected by the modest reduction of setback, as long as the 3 parcels are operated together.

- 4. The proposed variance is consistent with the intent and purpose of this title.**

The purpose and intent of the setback requirement is to provide adequate separation between businesses with industrial uses in the Industrial zone.

Applicant - Variance encourages efficient industrial use of property. Business is a good operator and addition will enhance use.

Staff agrees. Applying the required separations between different parts of the same business provides no benefit in this case.

STAFF RECOMMENDATION:

APPROVAL

MOTION: The motion should be modified by the Planning Commission as needed.

□ Based on the information provided in the application, in the staff report, and heard tonight, I move to find that the criteria found in CCC 16.08.090 **HAVE BEEN** met and therefore **APPROVE** the Variance application for Peek Brothers Construction to reduce the side setback on APN 009-251-66. This approval is subject to conditions, as listed in the Staff Report.

Recommended Conditions (NOT PART OF MOTION): Based on code requirements and issues raised during review of the project, the following conditions of approval are recommended to be included with any approval:

1. The approved variance is ONLY for the proposed building expansion, and does not apply to other buildings or setback locations.
2. All Building Department requirements shall be met, and all necessary permits obtained.
3. The approval of this variance expires one year from the date of the final decision. Construction must be started before expiration.

Application:	Special Use Permit
Use Listing:	Construction Contractor w/Heavy Equip. & Outside Storage
Applicant:	Robison Engineering Co. FOR Peek Brothers Construction
Owner:	P4 Properties LLC – Travis Peek
Site:	APN 009-251-66 – 5 acres. 1 of 3 parcels for the business at 2082 Resource Dr.
Designations:	Master Plan – Industrial // Zoning – Industrial

Summary: The applicant is requesting a Special Use Permit (SUP) to expand the existing Peek Brothers Construction business. The business started shortly before the current Use Table was adopted. At that time the business did not need a Special Use Permit (SUP). After the change, Construction Contractors that use heavy equipment and outside storage need a SUP. So, changes to them also require a SUP.

Criteria Review: *CCC 16.08.080(H): Findings from a preponderance of evidence must indicate that the proposed use:*

1. Is compatible with the existing surrounding land uses and development.

The Master Plan designates the area around the site as Industrial. This is implemented by the Industrial zoning on the area. The land uses to the east, west, north, and south are vacant or in commercial or industrial use. A large agricultural operation is to the SE, but over 700' away. This development is compatible with the other nearby uses.

2. Is in substantial conformance with the master plan and policies and will be constructed and operated in full compliance of this code.

The **Master Plan** establishes land use districts that are implemented by the zoning districts. **Construction Contractor is a listed use** in the use table for the Industrial zone, needing an SUP if it includes heavy equipment or outside storage. Most Master Plan policies are not applicable to the development of industrial uses or are neutral in terms of general commercial activity. The main applicable section in the Master Plan is Chapter 11 Land Use, which requires protection of the community from new development.

Chapter 11 states: "The appearance of a community as seen from the main streets and highways expresses the community character and leaves a lasting impression on visitors and potential future residents and businesses. Special attention should therefore be given to the types of land uses that are permitted along these corridors. To promote a positive image of the County, all development within these gateways must adhere to appropriate **landscaping and signage requirements** and only those land uses that are aesthetically appealing should be encouraged."

Policy LU 2.1 In reviewing any development proposal Churchill County shall consider issues of community character, balance, sustainability, environmental impact, safety, aesthetics, and efficient service provision.

Compatibility is addressed in Criteria 1. The proposed development must conform to the County Development Code. Conditions of approval will address specific issues, including:

- **Setbacks and Easements:** Setbacks are: Street/Front - 40'; Rear- 30'; Side- 20'. The property has 2 street setbacks on Resource Dr. and US 50A, which are met. All other lot lines have side setbacks. This application is accompanied by a Variance application to reduce the side setback from an internal lot line from 20' to 11'. The project needs to meet setbacks except as approved through the variance.

The properties on Resource Dr. were created in a strange and complicated manner. They may or may

not have utility easements along roads or internal parcel lines. However, the proposed building expansion will be clear of any easement.

- **Business office, sewer and water facilities:** The business as a whole is currently served by an office, onsite well, and septic system, which were constructed some time ago. However, the commercial septic system must be approved by the State and no final approval for it has been provided, despite multiple requests for documentation. A recommended condition of approval will require documentation of the completed septic system. The building expansion will minimally increase demand on these facilities.
- **Outside Storage Requirements:** Extensive outside storage takes place on the property, which needs to be screened. Operable vehicles do not need to be screened, but material and non-vehicular equipment does. The original development of the site included screening of part of the storage area, but full screening has not been finished. Staff recommends that conditions of approval include that the screening be finished.
- **Parking and Loading Requirements:** The parking code (including handicapped parking) requires 1 parking space per 275 sq ft of gross floor area for offices. The 4520 sq. ft. office building requires 16 parking spaces, including 1 ADA accessible space. There are approximately 14 paved spaces at the office (including the ADA space) plus lots of additional space nearby. The existing shop building on the subject property is a 7500-sf repair shop that will be enlarged by approximately 1/3, to around 10,000 sf. There is no listing for fleet vehicle repair shops, so the Director determines that 1 space per 1000 sf is needed for a total of 10 spaces. There is parking available along the sides of the shop building, and extensive space nearby, which is adequate. A loading area is also required, but the entire site serves as a loading area during daily operations.
- **Friction Zones:** All nearby uses are also commercial, industrial, or vacant. Friction zones do not apply.
- **Landscaping:** When originally established, the business was to be landscaped. However, it does not appear to have happened. The landscaping code requires 1 parking lot tree per 15 spaces, requiring 2 trees for the business. It also requires a 10' landscape buffer along the Resource Dr. and highway frontages. Staff recommends that conditions of approval require that landscaping requirements be completed.
- **Lighting:** The site currently includes a range of outdoor lighting fixtures. The existing lighting conditions do not appear to be a problem.
- **Signage Requirements:** The business sign is very unique. It is a large tank vehicle placed on poles to hold it in the air. The area of the advertising sign appears to meet the sign limits.
- **Water rights and impact fees:** Additional fees are not required.

3. *The project will be constructed and operated in a manner that will not overburden public services and infrastructure.*

The site is currently served by a private onsite well and septic system. Public water and sewer infrastructure will not be affected. Power and telecommunication service exists on-site. Public road infrastructure is discussed below. Police and fire service demand will be increased somewhat, but existing services are adequate. Services will not be overburdened.

4. *Adequately mitigates road and traffic impacts generated by the construction and build out of the project.*

County Code requires the site's access to meet County standards. Access for the site is taken from Resource Dr., which is in a 60' easement centered on the property lines. No change to the access is proposed, and no impacts to the road are expected.

5. ***Does not create adverse environmental impacts, including, but not limited to, noise, glare, fumes, and odor that may be detrimental either to public health, public safety, or general welfare of the persons or property in the vicinity or the wildlife and/or natural resources.***

Potential impacts from heavy traffic and noise levels will be minimally increased with the expansion. Potential impacts from traffic generated dust is mitigated by the partially paved parking, and well graveled remaining parking and remainder of the site.

STAFF RECOMMENDATION:

APPROVAL

MOTION: The motion should be modified by the Planning Commission as needed.

□ Based on the information provided in the application, in the staff report, and heard tonight, I move to find that the criteria found in CCC 16.08.080 **HAVE BEEN** met and therefore **APPROVE** the Special Use Permit application for Peek Brothers Construction to expand a Construction Contractor w/Heavy Equipment & Outside Storage facility located on APN 009-251-66, business address 2082 Resource Dr. This approval is subject to conditions, as listed in the Staff Report.

Recommended Conditions (NOT PART OF MOTION): Based on code requirements and issues raised during review of the project, the following conditions are recommended for any approval:

1. This permit is subject to review in 1-year to show progress on meeting conditions of approval and compliance with County Code requirements .
2. The entire business must be in conformance with County Code, including but not limited to:
 - a. Business licenses must be maintained.
 - b. All building permits must be obtained, and necessary improvements installed. This includes providing documentation of final state approval for the commercial septic system, as required by the Building Department.
 - c. The applicant must work with Planning Department staff to finalize and implement the landscape plan.
 - d. The screening of outside storage areas shall be completed.
 - e. Required setbacks shall be met except as approved in the Variance application accompanying this permit application.
3. Operations of the entire business shall be conducted in a manner that does not create a nuisance (public or private) under Nevada law or Churchill County Code.

<u>Consent Agenda:</u>

NOTE: All matters listed under the Consent Agenda are considered routine and may be acted upon by the Planning Commission with one action and without an extensive hearing. Any member of the commission or any citizen may request that an item be taken from the Consent Agenda, discussed and acted upon separately during this meeting.

Please review the Consent Agenda to determine if you have any concerns.

RECOMMENDED MOTION

- I move to **Approve** the Consent Agenda as submitted.
- ***[IF YOU WISH TO REMOVE ANY ITEM FOR FURTHER DISCUSSION]***
I move to ***remove Item***____ for further discussion, and to approve the remainder of the Consent Agenda as submitted.



**CHURCHILL COUNTY
PLANNING
COMMISSION
HEARING**

August 14, 2024

Murray, TUP Renewal, 2400 Lucas Rd, APN 008-112-15





Basford, TUP Renewal, 895 Howard Pl, APN 007-851-19







007-851-19

Black Rhino Holdings, Variance Application, 1947 Potpourri Dr, APN 008-221-02





008-221-02

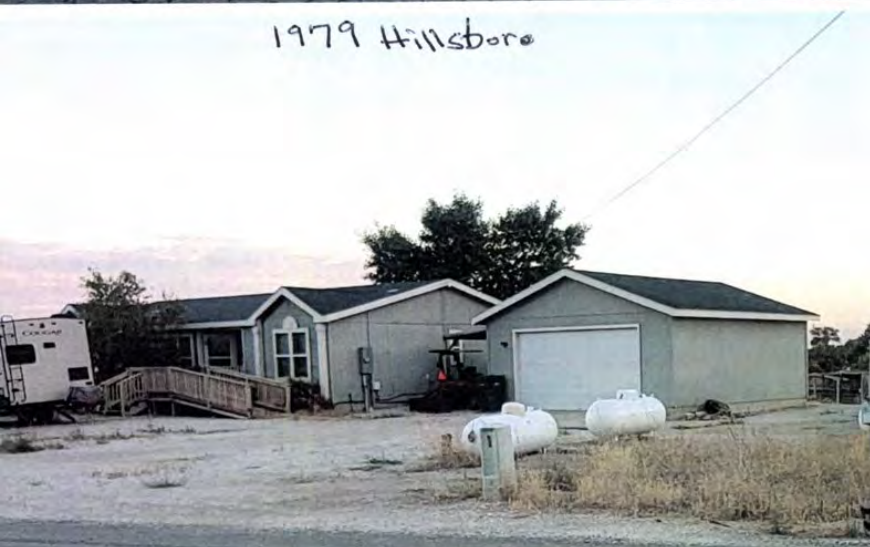
1987 Hillsboro



1637 Potpourri



1979 Hillsboro



1655 Potpourri Dr



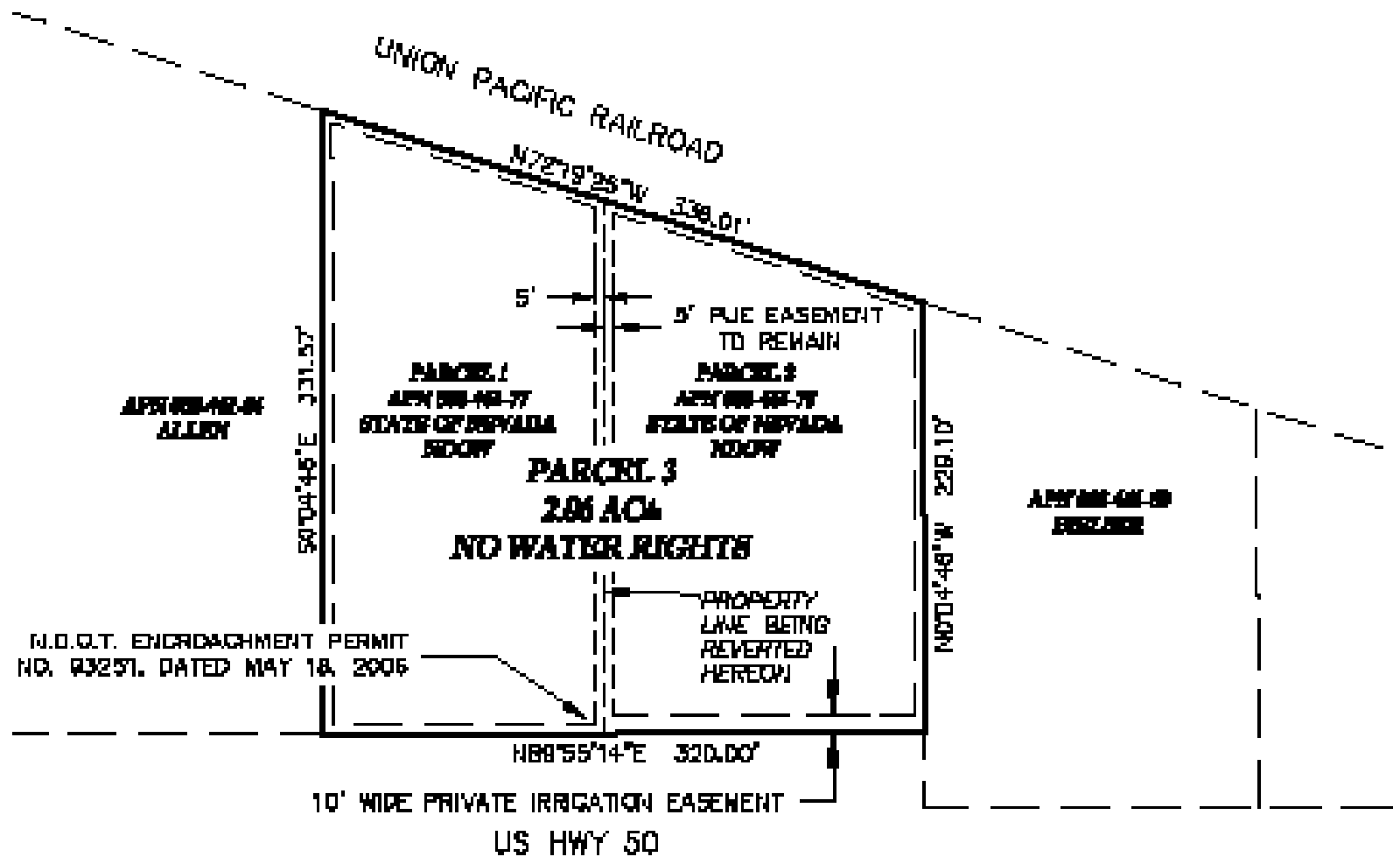
1927 Potpourri



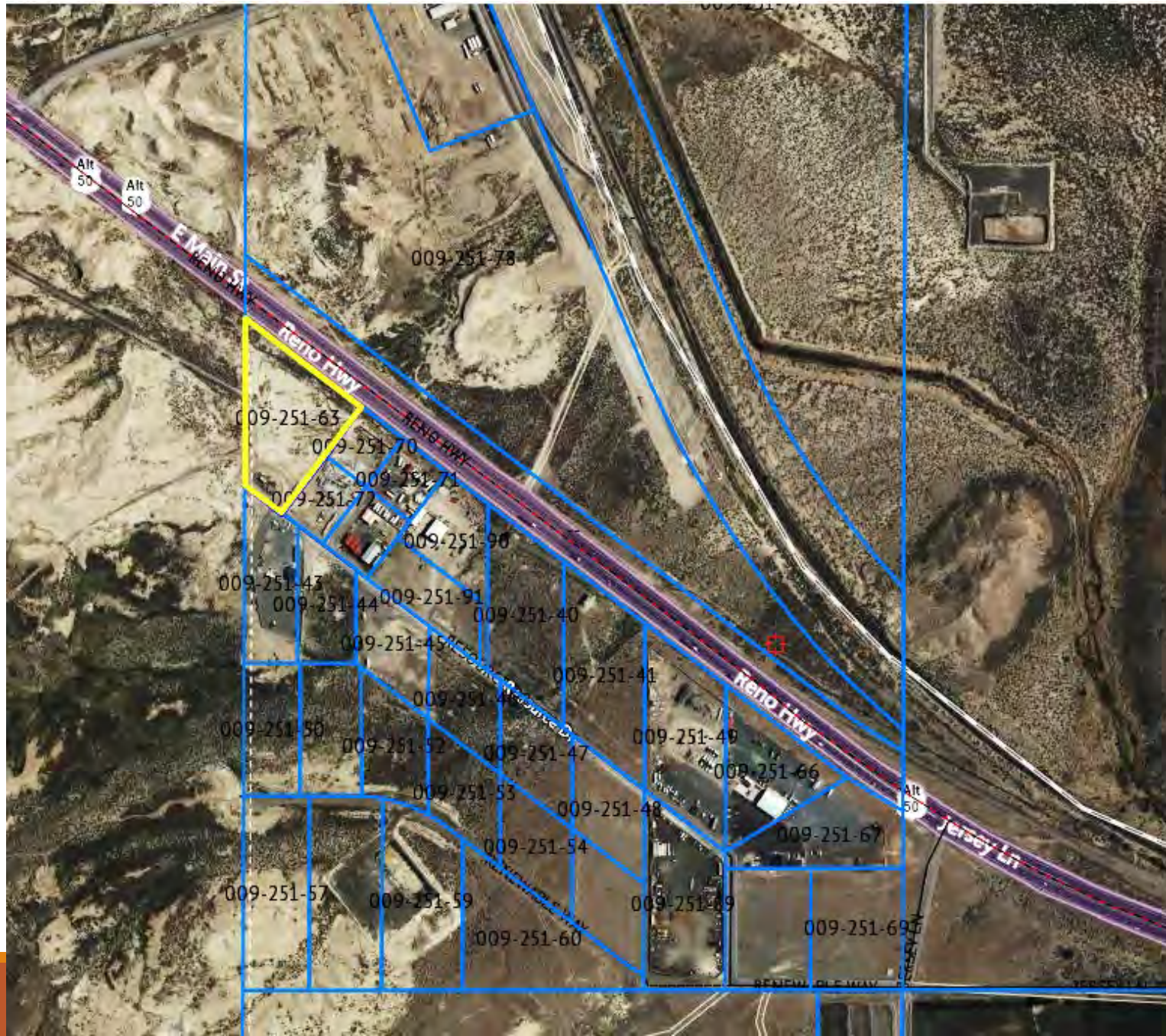


NDOW, Reversion to Acreage Map, 4058 & 4082 Reno Hwy, APNs 008-461-77 & -78





Mountain Rock LLC, SUP Application, 2528 Resource Dr, APN 009-251-63





009-251-63

009-251-71

009-251-72

009-251-43

RENOW HWY

RESOURCES LN

No highway 95 access

Landscaping area
10ft with boulders

Septic

Metal building 50'x30'

Power connect

Well

road

concrete apron

gravel paved area

6ft privacy fence

ADA parking

16' rollup warehouse door

concrete loading area

Tree

equipment parking

Resource dr

SCALE 1"=50'

APN 09-251-63

Ivan Rudkevich 7752030960 rollingrock880@gmail.com

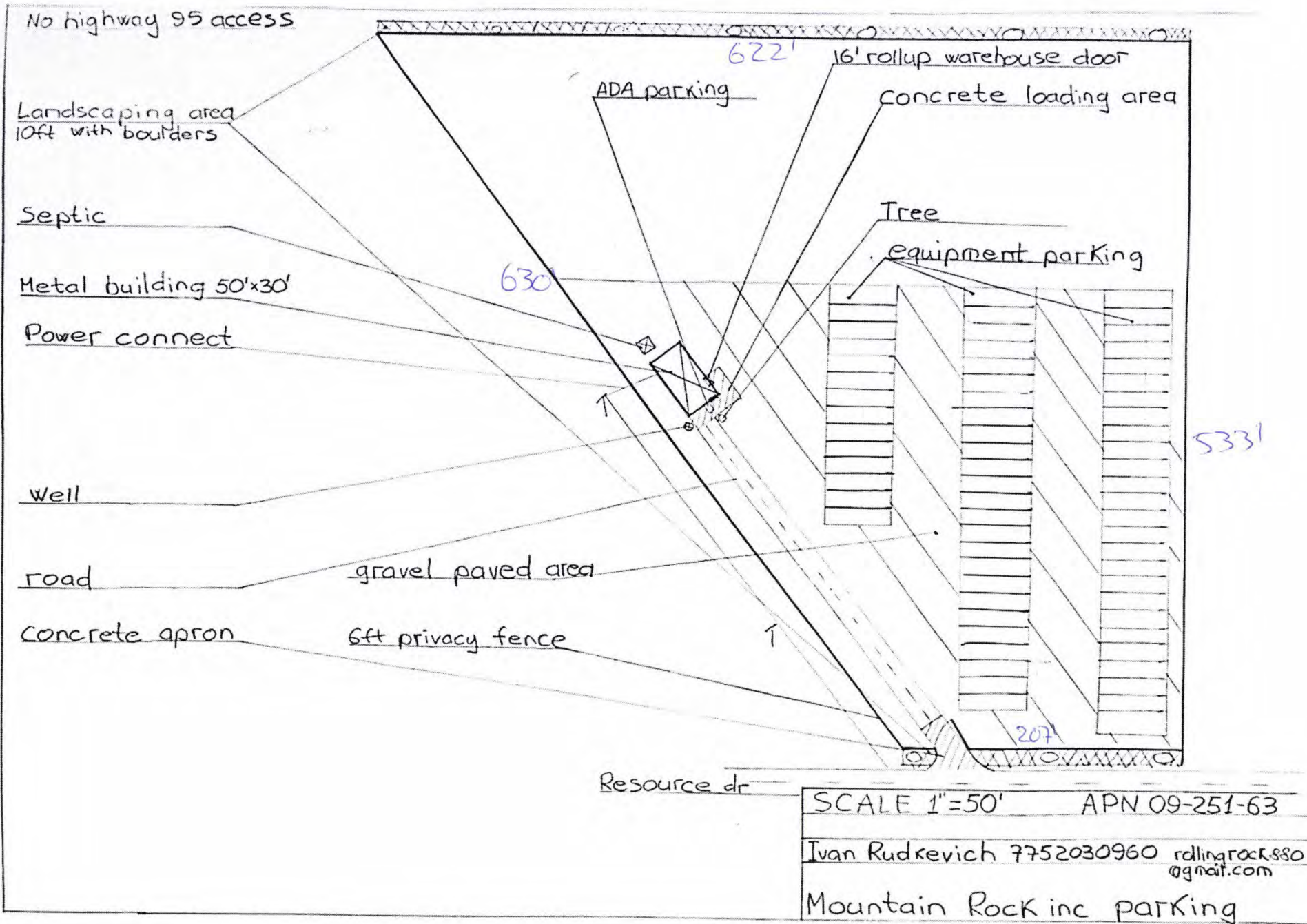
Mountain Rock inc parking

622'

630'

533'

207'







008-411-40

008-411-41

008-411-42

008-411-54

008-411-55

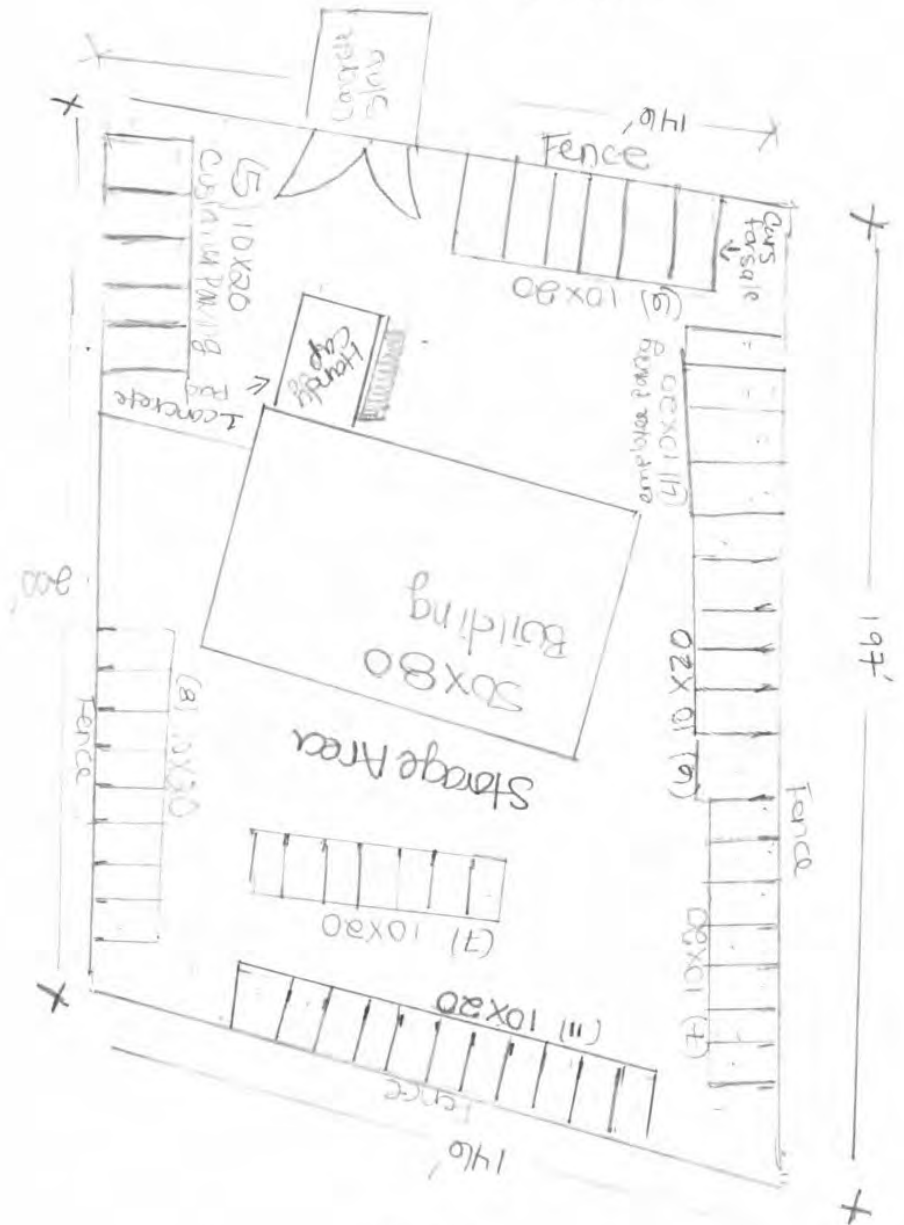
008-411-56

008-411-51

ARNOLD WAY

Arnold Way plant

$$140 - 10 = 130$$

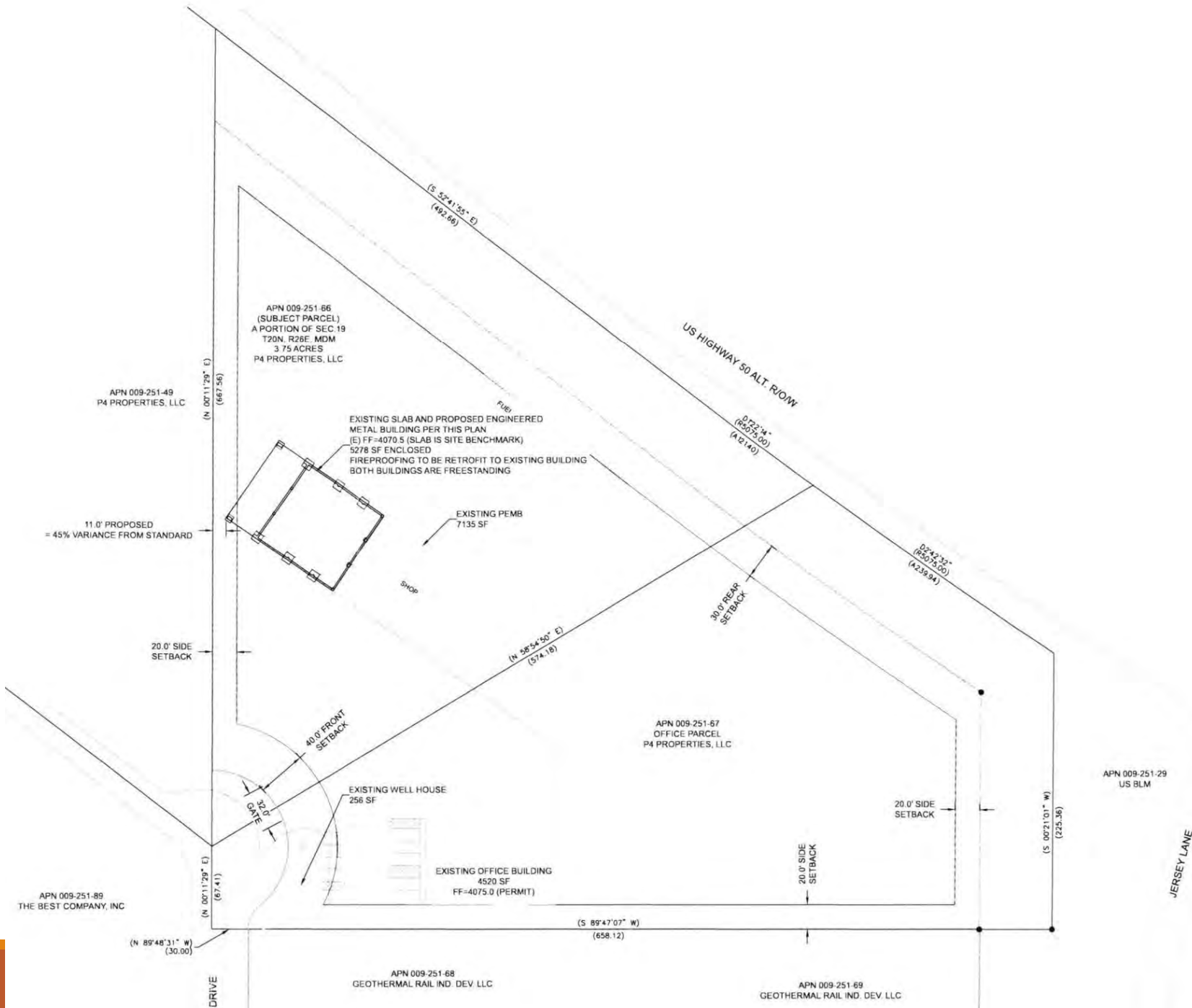




Peek Brothers Construction, Variance & SUP Applications, 2082 Resource Dr, APN 009-251-66







APN 009-251-49
P4 PROPERTIES, LLC

APN 009-251-66
(SUBJECT PARCEL)
A PORTION OF SEC. 19
T20N, R26E, MDM
3.75 ACRES
P4 PROPERTIES, LLC

US HIGHWAY 50 ALT. R.O.W.

APN 009-251-67
OFFICE PARCEL
P4 PROPERTIES, LLC

APN 009-251-29
US BLM

JERSEY LANE

APN 009-251-89
THE BEST COMPANY, INC

APN 009-251-68
GEOTHERMAL RAIL IND. DEV. LLC

APN 009-251-69
GEOTHERMAL RAIL IND. DEV. LLC

APN 009-251-66
(SUBJECT PARCEL)
A PORTION OF SEC. 19
T20N, R26E, MDM
3.75 ACRES
P4 PROPERTIES, LLC

APN 009-251-49
P4 PROPERTIES, LLC

(N 00°11'29" E)
(667.56)

EXISTING SLAB AND PROPOSED ENGINEERED
METAL BUILDING PER THIS PLAN
(E) FF=4070.5 (SLAB IS SITE BENCHMARK)
5278 SF ENCLOSED
FIREPROOFING TO BE RETROFIT TO EXISTING BUILDING
BOTH BUILDINGS ARE FREESTANDING

11.0' PROPOSED
= 45% VARIANCE FROM STANDARD

EXISTING PEMB
7135 SF

20.0' SIDE
SETBACK

40.0' FRONT
SETBACK

(N 38°54'50" E)
(574.18)

EXISTING WELL HOUSE
256 SF

32.0'
GATE



Consent Agenda

From: [Raymond Brown](#)
To: [Randy Hines](#); [Buildings](#); [Diane Moyle](#)
Cc: [Dean Patterson](#)
Subject: RE: Old Business Items for August 14, 2024 Planning Commission hearing
Date: Wednesday, August 07, 2024 1:22:25 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)

2400 Lucas Rd
Permit# 2023-B-0255
Issue Date – 2/13/2024
Expiration Date – 8/13/2024

Inspection History,

- Underground gas inspection passed on 3/25/2022
- Underground ABS drain lines passed on 04/23/2022
- Underslab and foundation passed on 6/30/2022
- Shear nailing passed on 9/30/22
- Rough framing passed on 2/13/2024

Currently, the owner has an electrical rough inspection scheduled for 8/8/2024

Regards,

[Ray Brown](#)

Building Inspector for Churchill County
155 N. Taylor, Suite 170, Fallon NV 89406
Office: 775-428-0264

<https://www.churchillcounty.org/98/Building-Department>



From: Randy Hines <Randy.Hines@churchillcountynv.gov>
Sent: Wednesday, August 7, 2024 12:36 PM
To: Raymond Brown <raymond.brown@churchillcountynv.gov>; Buildings <buildings@churchillcountynv.gov>; Diane Moyle <diane.moyle@churchillcountynv.gov>
Cc: Dean Patterson <dean.patterson@churchillcountynv.gov>
Subject: RE: Old Business Items for August 14, 2024 Planning Commission hearing

Ray,

Pertaining to the house, please give us a summary of the work that has been completed and a list of what is being done currently.

Thank you.

Randy Hines

*Director, Public Works, Planning &
Zoning
Churchill County, Nevada*

155 N. Taylor Street, Ste 194

Fallon, NV 89406-2754

O: (775) 423-7627

F: (775) 428-0259

Randy.Hines@churchillcountynv.gov

New website URL:

www.churchillcountynv.gov



From: Raymond Brown <raymond.brown@churchillcountynv.gov>

Sent: Wednesday, August 7, 2024 12:34 PM

To: Buildings <buildings@churchillcountynv.gov>; Diane Moyle
<diane.moyle@churchillcountynv.gov>

Cc: Dean Patterson <dean.patterson@churchillcountynv.gov>; Randy Hines
<Randy.Hines@churchillcountynv.gov>

Subject: RE: Old Business Items for August 14, 2024 Planning Commission hearing

We have an electrical inspection for Mr. Murray tomorrow at 2400 Lucas. This will put him back into compliance with his permit.

Regards,

Ray Brown

Building Inspector for Churchill County

155 N. Taylor, Suite 170, Fallon NV 89406

Office: 775-428-0264

<https://www.churchillcounty.org/98/Building-Department>



From: Buildings <buildings@churchillcountynv.gov>

Sent: Wednesday, August 7, 2024 12:12 PM

To: Diane Moyle <diane.moyle@churchillcountynv.gov>

Cc: Dean Patterson <dean.patterson@churchillcountynv.gov>; Randy Hines <Randy.Hines@churchillcountynv.gov>; Raymond Brown <raymond.brown@churchillcountynv.gov>

Subject: Re: Old Business Items for August 14, 2024 Planning Commission hearing

We have not issued any permits for 895 Howard Pl.

2400 Lucas was issued over 2 years ago and there's not been any progress. I believe the owner has been in contact to extend the expiration date. Ray can confirm.

Sent from my iPhone

On Aug 7, 2024, at 10:35 AM, Diane Moyle <diane.moyle@churchillcountynv.gov> wrote:

Please let us know of any permits issued, completed, voided, etc. for the following TUP renewal applications:

1. Murray, 2400 Lucas Rd
2. Basford, 895 Howard Pl

We have a Planning Commission staff meeting at 2:00 p.m. today, and the hearing is next Wednesday. Any information that you can provide regarding progress would be greatly appreciated.

Diane Moyle

Administrative Assistant
planning-admin@churchillcountynv.gov
Public Works, Planning & Zoning Department
155 N Taylor Street, Suite 194
Fallon, NV 89406
775-423-7627 Main Phone
775-428-0259 Fax

Churchill County is an equal opportunity employer and provider.

From: [Buildings](#)
To: [Diane Moyle](#)
Cc: [Dean Patterson](#); [Randy Hines](#); [Raymond Brown](#)
Subject: Re: Old Business Items for August 14, 2024 Planning Commission hearing
Date: Wednesday, August 07, 2024 12:11:58 PM
Attachments: [Murray 2024 TUP Renewal Application.pdf](#)
[Basford 2024 TUP Renewal Application.pdf](#)

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Diane Moyle
Administrative Assistant
planning-admin@churchillcountynv.gov
Public Works, Planning & Zoning Department
155 N Taylor Street, Suite 194
Fallon, NV 89406
775-423-7627 Main Phone
775-428-0259 Fax

Churchill County is an equal opportunity employer and provider.

Estimate #: 20240722-3

Date: August 14, 2024

Estimator: Kyle Cheek

(775) 426-8802

kyle@cheekconstruction.com



3303 Reno Highway Fallon, NV 89406

5401 Longley Ln Suite A18, Reno, NV 89502

Office (775) 426-8802 Fax (775) 867-5939

www.cheekconstruction.com

NV 0078906, 0078907 & CA 1077095

Attn:

Keary Basford
895 Howard Place
Fallon, NV. 89406
775-699-5323

Project Address
895 Howard Place, Fallon, NV. 89406
mrkearybasford@outlook.com
Plans attached (Not Required for repairs)

Proposal Scope of Work

All labor, material, and equipment to:

- *Excavation, grading, base, and compaction.*
 - *Form, pour, and finish concrete.*
1. *Excavate footings and slab. 4" of base. Compaction.*
 2. *4" slab with 2'x1' footings. 640sqft.*

This is a budget estimate. Will update number once engineered plans are received.

Notes

- Estimated Project Duration: 3 Working Days
- Project start date will be discussed and arranged with customer upon acceptance of proposal.
- All necessary permits must be obtained prior to the project start date.

Schedule of progress payment

- A down payment of 10% or \$1000.00 (whichever is less) will be due before the start of the project.
- The remaining balance will be due within 30 days of completion of the project, unless otherwise specified.

Exclusions:

1. All Utilities by others.
2. Plans, Engineering, Permits, Applications, Inspections and fees, Cost of bonds, Penalties and Liquidated Damages.
3. Protection of surrounding areas including but not limited to Landscaping, Utilities and Hardscapes.
4. Night, Weekend, and Holiday Work.
5. Removal of any Hazardous Materials.
6. Damage to concrete caused by flooding, earthquakes, excessive freezing, and thawing, & de-icing agents.

Estimate #: 20240722-3

Date: August 14, 2024

Estimator: Kyle Cheek

(775) 426-8802

kyle@cheekconstruction.com



3303 Reno Highway Fallon, NV 89406

5401 Longley Ln Suite A18, Reno, NV 89502

Office (775) 426-8802 Fax (775) 867-5939

www.cheekconstruction.com

NV 0078906, 0078907 & CA 1077095

Payment Terms: A 10% Deposit or \$1000.00 (whichever is less) is required for us to schedule your project. Final Billing will occur upon completion of the project. Not getting paid by a third party (e.g., owner, lender, etc.) does not relieve the party with whom Cheek Construction, LLC has been contracted to do the work for from getting payment for our work. Receipt of our payment is not predicated solely on our contracted party getting paid first by other third parties. All parties are to be held responsible until payment is received.

The Proposal Price is based upon the Scope of Work, Conditions, and Exclusions listed above. Please read this entire Proposal carefully. Changes to the Scope of Work, Alterations or Conditions may result in additional charges. Changes that result in additional charges will be executed only upon written orders and will become an extra charge over above the estimate. All change orders must be agreed upon by both the owner and contractor and will be incorporated into the original contract. The foregoing is a limited estimate only based on the information provided which does not account for several factors that could significantly impact this limited offer, including but not limited to an investigation of the site and conditions under which the work is to be performed neither of which may have been done prior to the communication of this limited offer. This is not an offer nor is it a guarantee and should not be relied upon for any purpose. Cheek Construction LLC expressly reserves the right to change this limited estimate as further information becomes available to it prior to the commencement of work or the execution of a contract or purchase order. Upon acceptance of this Proposal by Customer (indicated by Customer's authorized signature below), this Proposal represents the entire agreement between Cheek Construction LLC and Customer, and supersedes any prior negotiations, representations, or agreements, either written or oral.

Any billed amount that remains unpaid after 30 days from invoice date, could be subject to 1 ½ % per month. (18% annual percentage rate). This proposal is valid for 30 days. 4% Courtesy fee applies to all credit card payments.

Budgeted estimated total- \$ 8,990.00- \$ 9,750.00

In acceptance of this bid please sign and date below.

Name: _____

Date: _____

Thank you for the opportunity to provide you with a proposal for your project. Should have any questions, please do not hesitate to call. Thank you.

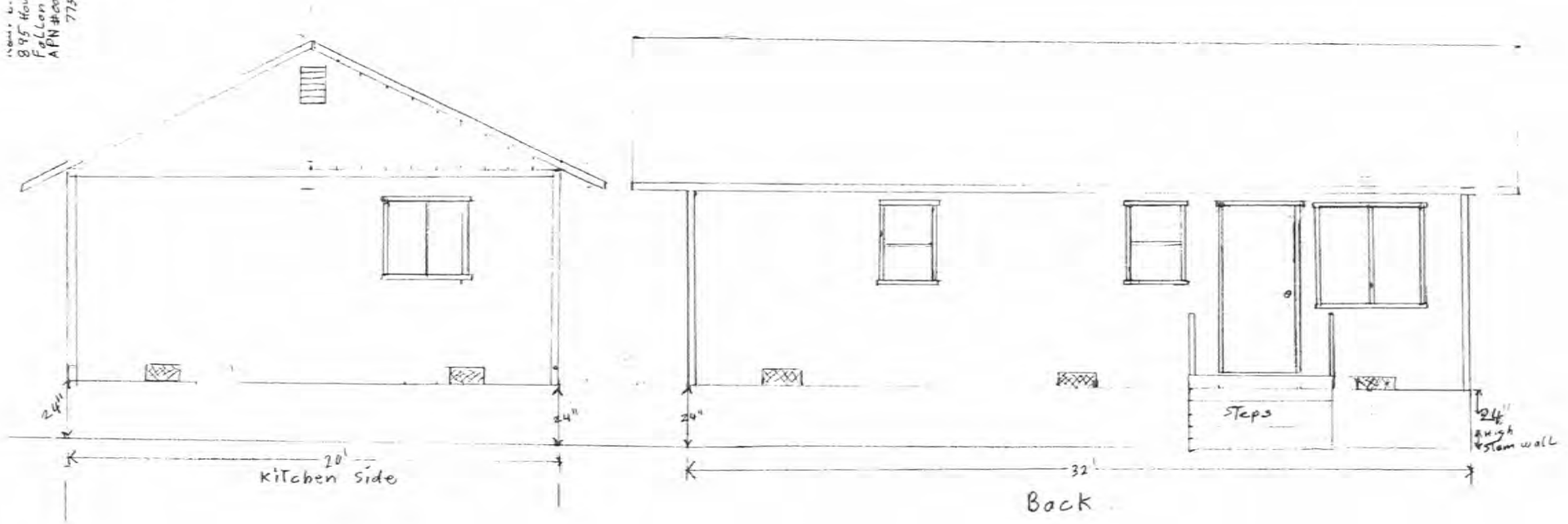
Regards,

Kyle Cheek

Kyle Cheek – Owner

All installed material is guaranteed to be as specified. All work to be completed in a professional manner according to standard practices. All agreements contingent upon strikes, accidents, or delays beyond our control. Our workers are fully covered by Workman's Compensation Insurance. All work is guaranteed for one full year. In accordance with Nevada Revised Statutes (NRS) 624.400-624.560 and Nevada Administrative Code (NAC) 624.730 to 624.770 inclusive, a homeowner may file a claim with the Nevada State Contractors Board (NSCB) Residential Recovery Fund for recovery of damages incurred by the failure of a residential contractor to perform Qualified Services adequately. Qualified Services means any construction, remodeling, repair, or improvement performed by a residential contractor on a single-family residence occupied by the owner of the residence. Services means any construction, remodeling, repair, or improvement performed by a residential contractor on a single-family residence occupied by the owner of the residence. The owner may contact the Nevada State Contractors Board for help clarifying the provisions of this contract. NSCB Northern Nevada Office: 5390 Kietzke Lane #102, Reno, NV. 89511- (775)688-1141. NSCB Southern office: 8400 West Sunset Road#150, Las Vegas, NV. 89113- (702)486-1100. The owner may: contact an attorney for an explanation of owner's rights under contract, request the contract in another language, receive legible copies of all signed documents and a written receipt (electronic delivery is acceptable), modify the contract to ensure compliance with the provisions of law.

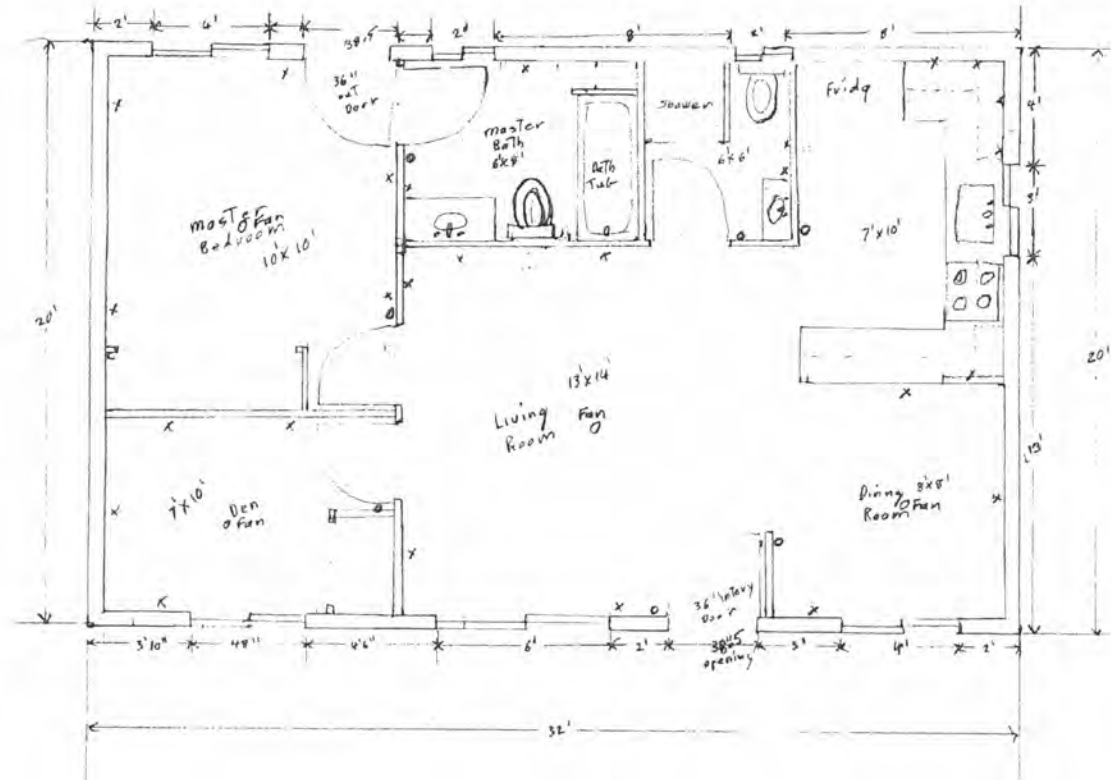
new: b. 1000, 1000
845 Howard place
Fallon 89406
APN #007-057-10
775-690-5323



845 Howard Place
Fallon 89406
AMH 602851-10
F. 715-690-5323

2X6 x 8' outside walls
2X6 x 8' Ceilings
2X8 x 20' floor joists
4X8 Runner Down center
under floor joists
20'-6-12 RarF Trusses
2X4 stud walls inside
R21 in walls
A38 Ceilings
R21 in Floor
5/8" smart Siding
1/8" Roof Decking
3/4" Tong Groove 4X8 x 3/4" sub Floor

X is electric outlets
O Light and Fan switches



Floor Plan

From: [Buildings](#)
To: [Planning Admin](#); [Gary Fowkes](#); [Mitch Young \(myoung@fallonfire.org\)](#)
Cc: [Dean Patterson](#); [Randy Hines](#)
Subject: RE: 8/14/24 Churchill County Planning Commission Variance Application for the Age of a Manufactured Home filed by Darren Lewis, 1947 Potpourri Drive
Date: Thursday, July 18, 2024 2:35:07 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)

The Building Department's has no comments.

Jera Reidenbach

Jera.Reidenbach@ChurchillCountyNV.gov

Churchill County Building
155 N. Taylor Street
Suite 170
Fallon, NV 89406-2754
O: (775) 428-0264
Fax: (775) 423-8185



From: Planning Admin <planning-admin@churchillcountynv.gov>
Sent: Wednesday, July 17, 2024 3:00 PM
To: Gary Fowkes <gary.fowkes@churchillcountynv.gov>; Mitch Young (myoung@fallonfire.org) <myoung@fallonfire.org>; Buildings <buildings@churchillcountynv.gov>
Cc: Dean Patterson <dean.patterson@churchillcountynv.gov>; Randy Hines <Randy.Hines@churchillcountynv.gov>
Subject: 8/14/24 Churchill County Planning Commission Variance Application for the Age of a Manufactured Home filed by Darren Lewis, 1947 Potpourri Drive
Importance: High

Attached is an application received for the 8/14/24 Planning Commission hearing. Please review and submit any comments or questions you may have prior to this meeting. Dean Patterson, Senior Planner, will be on vacation from July 19, 2024 until August 5, 2024, so if you need a response sooner, please contact Randy Hines, Public Works Director.

Diane Moyle

Administrative Assistant

Diane Moyle

From: myoung fallonfire.org <myoung@fallonfire.org>
Sent: Thursday, July 18, 2024 10:02 AM
To: Planning Admin; Gary Fowkes; Buildings
Cc: Dean Patterson; Randy Hines
Subject: RE: 8/14/24 Churchill County Planning Commission Variance Application for the Age of a Manufactured Home filed by Darren Lewis, 1947 Potpourri Drive

Caution: This email originated from outside of the Churchill County organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. When in doubt, contact your IT Department.

All,

Fire has no issues with this application

Regards,

Mitch Young
Fire Marshal, FCFD
Office 775 423-6521 ext. 2
Cell 775 427-7911

From: Planning Admin <planning-admin@churchillcountynv.gov>
Sent: Wednesday, July 17, 2024 3:00 PM
To: Gary Fowkes <gary.fowkes@churchillcountynv.gov>; myoung [fallonfire.org](mailto:myoung@fallonfire.org) <myoung@fallonfire.org>; Buildings <buildings@churchillcountynv.gov>
Cc: Dean Patterson <dean.patterson@churchillcountynv.gov>; Randy Hines <Randy.Hines@churchillcountynv.gov>
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Diane Moyle

Administrative Assistant
planning-admin@churchillcountynv.gov
Public Works, Planning & Zoning Department
155 N Taylor Street, Suite 194
Fallon, NV 89406
775-423-7627, Extension 3
775-428-0259 Fax
(If not already done, please note the new email address.)



Churchill County Building Department

July 18, 2024

Churchill County Department of Public Works, Planning and Zoning
155 North Taylor Street, Suite 194
Fallon, Nevada 89406

RE: COMMENTS PERTAINING TO SPECIAL USE PERMIT APPLICATION MOUNTAIN
ROCK LLC, 009-251-63

Construction projects in which the owner does not physically reside are required to have an appropriately licensed contractor oversee all work performed pursuant to NRS 624.

All plans and construction must meet or exceed the currently adopted Building Codes per Churchill County Code. No work or construction may be performed until the issuance of a building permit by the Churchill County Building Department.

All commercial businesses with employees and/or public access are required to have means of accessibility for persons with disabilities. These requirements include but are not limited to the following items:

- Means of Egress
- Parking
- Restrooms

If a septic system is planned, Churchill County Building Department has no jurisdiction over septic systems installed on commercial property or for commercial use. All designs, installations, and inspections must be performed by a State of Nevada licensed engineer. All permitting must be done by the Nevada Department of Environmental Protection (NDEP).

Should there be any questions, please contact our office.

Churchill County Building Department

155 N Taylor St
Suite 170
Fallon, NV 89406

Phone 775-428-0264
Fax 775-423-8185
www.Churchillcountynv.gov

Churchill County, NV is an equal opportunity provider and employer

Diane Moyle

From: myoung fallonfire.org <myoung@fallonfire.org>
Sent: Thursday, July 18, 2024 9:55 AM
To: Planning Admin; Gary Fowkes; Buildings; D2Traffic@dot.nv.gov; jgraham@dot.nv.gov; 'planning@cityoffernley.org'; 'mrambo@cityoffernley.org'; 'sleague@cityoffernley.org'
Cc: Randy Hines; Dean Patterson
Subject: RE: 8/14/24 Churchill County Planning Commission Special Use Permit Application filed by Mountain Rock LLC, 2528 Resource Drive

Caution: This email originated from outside of the Churchill County organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. When in doubt, contact your IT Department.

All,

Fire has no issues with this application.

- Future shop building will require State Fire Marshal plan review.
- Any hazardous storage will need meet NFPA and IFC requirements.

Regards,

Mitch Young
Fire Marshal, FCFD
Office 775 423-6521 ext. 2
Cell 775 427-7911

From: Planning Admin <planning-admin@churchillcountynv.gov>
Sent: Wednesday, July 17, 2024 3:04 PM
To: Gary Fowkes <gary.fowkes@churchillcountynv.gov>; Buildings <buildings@churchillcountynv.gov>; myoung fallonfire.org <myoung@fallonfire.org>; D2Traffic@dot.nv.gov; jgraham@dot.nv.gov; 'planning@cityoffernley.org' <planning@cityoffernley.org>; 'mrambo@cityoffernley.org' <mrambo@cityoffernley.org>; 'sleague@cityoffernley.org' <sleague@cityoffernley.org>
Cc: Randy Hines <Randy.Hines@churchillcountynv.gov>; Dean Patterson <dean.patterson@churchillcountynv.gov>
Subject: 8/14/24 Churchill County Planning Commission Special Use Permit Application filed by Mountain Rock LLC, 2528 Resource Drive
Importance: High

Attached is an application received for the 8/14/24 Planning Commission hearing. Please review and submit any comments or questions you may have prior to this meeting. Dean Patterson, Senior Planner, will be on vacation from July 19, 2024 until August 5, 2024, so if you need a response sooner, please contact Randy Hines, Public Works Director. This project will involve large semi-trucks and trailers with ingress and egress onto Highway 50 Alt (Reno Highway).

Diane Moyle

Administrative Assistant
planning-admin@churchillcountynv.gov



JOE LOMBARDO
Governor

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
310 Galletti Way
Sparks, Nevada 89431

TRACY LARKIN THOMASON, P.E.
Director

July 23, 2024

Churchill County Planning Division
155 N Taylor St, Suite 194
Fallon, NV 89406
Attention: Diane Moyle

SENT VIA ELECTRONIC MAIL

RE: Mountain Rock LLC Special Use Permit

Dear Ms. Moyle,

Nevada Department of Transportation (NDOT) District II staff has reviewed the application received via e-mail on July 17th, 2024, and provides comments accordingly.

Mountain Rock LLC Description - A request has been made to acquire a special use permit for a 5 acres land for the use of Semi-truck and trailer storage lot with 3,000 sq ft shop for minor repairs. The Churchill County Parcel number for the property is 00925163 with the nearest intersection being Resource Dr.

NDOT comments:

1. The project proposes work directly adjacent and regional access to Reno Highway. Reno Highway is an NDOT maintained facility and is officially designated as US 50A and functionally classified as a Principal Arterial in the project vicinity.
2. Since the site is located directly adjacent to US 50 A and has the potential to effect area drainage patterns, the applicant will be required to obtain an occupancy permit from NDOT for any drainage encroachments.
3. The provisions of Nevada Revised Statute 405.020, 405.030 and 405.110 and Nevada Administrative Code 410.440 prevent the placement of any advertising signs within state highway right of way or roads which are owned or controlled by the Nevada Department of Transportation (NDOT). In addition, the federal and state "Highway Beautification Acts" limit the placement of any sign on private property if that sign is located within 660 feet of a national Highway System route.
4. All work proposed within the US 50 A Right of Way will require an encroachment permit and must comply with NDOT's Standard Plans, Access Management System and Standards, Terms and Conditions Relating to Right-of-Way Occupancy Permits, and the Drainage Manual current version at the time of application. Please contact the NDOT

District II Permits Office at (775) 834-8330 for information about obtaining NDOT occupancy permits.

5. This letter does not provide for approval or disapproval of any improvements proposed by the project. NDOT review during the occupancy permit process may result in modification to the proposed improvements or denial.
6. The State defers to municipal government for land use development decisions. Public involvement for community development related improvements within NDOT right of way should be considered during the municipal land use development process. Significant improvements proposed within NDOT right of way may require additional public involvement. It is the responsibility of the applicant to perform such additional public involvement.

Thank you for the opportunity to review this application. NDOT reserves the right to incorporate further changes and/or comments as these applications and design reviews progress. Should you have any questions, please contact Jeff Graham at (775) 834-8382.

Sincerely,

DocuSigned by:


EEF9C06ADD034C7...

Jeff Freeman, PE

Engineering Services Manager
District II

JF:jg

Cc: Bhupinder Sandhu – DII District Engineer
Jeff Graham – Traffic Engineer
District II Traffic Engineering Distribution List
Churchill County Planning Division

From: [Buildings](#)
To: [Planning Admin](#); [Gary Fowkes](#); [Mitch Young \(myoung@fallonfire.org\)](#)
Cc: [Randy Hines](#); [Dean Patterson](#)
Subject: RE: 8/14/24 Churchill County Planning Commission Special Use Permit Application filed by Bulldog Auto Sales, 3921 Arnold Way
Date: Thursday, July 18, 2024 2:19:33 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)

The Building Department has no comments.

Jera Reidenbach

Jera.Reidenbach@ChurchillCountyNV.gov

Churchill County Building
155 N. Taylor Street
Suite 170
Fallon, NV 89406-2754
O: (775) 428-0264
Fax: (775) 423-8185



From: Planning Admin <planning-admin@churchillcountynv.gov>
Sent: Wednesday, July 17, 2024 3:10 PM
To: Gary Fowkes <gary.fowkes@churchillcountynv.gov>; Buildings <buildings@churchillcountynv.gov>; Mitch Young (myoung@fallonfire.org) <myoung@fallonfire.org>
Cc: Randy Hines <Randy.Hines@churchillcountynv.gov>; Dean Patterson <dean.patterson@churchillcountynv.gov>
Subject: 8/14/24 Churchill County Planning Commission Special Use Permit Application filed by Bulldog Auto Sales, 3921 Arnold Way
Importance: High

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Diane Moyle

Diane Moyle

From: myoung fallonfire.org <myoung@fallonfire.org>
Sent: Thursday, July 18, 2024 9:26 AM
To: Planning Admin; Gary Fowkes; Buildings
Cc: Randy Hines; Dean Patterson
Subject: RE: 8/14/24 Churchill County Planning Commission Special Use Permit Application filed by Bulldog Auto Sales, 3921 Arnold Way

Caution: This email originated from outside of the Churchill County organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. When in doubt, contact your IT Department.

All,

Fire has no issues with application.

Regards,

Mitch Young
Fire Marshal, FCFD
Office 775 423-6521 ext. 2
Cell 775 427-7911

From: Planning Admin <planning-admin@churchillcountynv.gov>
Sent: Wednesday, July 17, 2024 3:10 PM
To: Gary Fowkes <gary.fowkes@churchillcountynv.gov>; Buildings <buildings@churchillcountynv.gov>; myoung fallonfire.org <myoung@fallonfire.org>
Cc: Randy Hines <Randy.Hines@churchillcountynv.gov>; Dean Patterson <dean.patterson@churchillcountynv.gov>
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Diane Moyle

Administrative Assistant
planning-admin@churchillcountynv.gov
Public Works, Planning & Zoning Department
155 N Taylor Street, Suite 194
Fallon, NV 89406
775-423-7627, Extension 3
775-428-0259 Fax
(If not already done, please note the new email address.)















Churchill County Building Department

July 18, 2024

Churchill County Department of Public Works, Planning and Zoning
155 North Taylor Street, Suite 194
Fallon, Nevada 89406

RE: PEEK BROTHERS CONSTRUCTION SPECIAL USE PERMIT APPLICATION
2082 RESOURCE DR, 009-251-67

Proof of the Onsite Sewage Disposal system permit from the Nevada Department of Environmental Protection and Fire Marshal Approval is required prior to issuance of the Certificate of Occupancy.

All plans and construction must meet or exceed the currently adopted Building Codes per Churchill County Code. No work or construction may be performed until the issuance of a building permit by the Churchill County Building Department.

Please contact our office with any further questions.

Churchill County Building Department

155 N Taylor St
Suite 170
Fallon, NV 89406

Phone 775-428-0264
Fax 775-423-8185
www.Churchillcountynv.gov

Churchill County, NV is an equal opportunity provider and employer

August 14, 2024 at 7:00 p.m.

**EVERYONE PLEASE SIGN IN & PRINT
YOUR INFORMATION**