

MINUTES OF THE CHURCHILL COUNTY PLANNING COMMISSION

155 N. Taylor St., Fallon, NV 89406

July 13, 2022

1. Call to Order:

The regular meeting of the Planning Commission was called to order at 7:00 p.m. on July 13, 2022 by Chair Arciniega.

Present: Charlie Arciniega, Chair; Shane Yates, Vice Chair; Deanna Diehl, Member; Myles Getto, Member; Paul Picotte, Member; and Zack Bunyard, Member.

Absent: Scott Nelson, Member

Planning Staff Present:

Chris Spross, Public Works Director

Dean Patterson, Senior Planner

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:

Chair Arciniega asked for any public comment on anything that is not on the agenda.

Cyndi Dillon, 1427 Coleman Road, spoke regarding the zone change that occurred at the County Commissioners' meeting last week. She was not available when the Planning Commission was talking about this item. She does have some concerns that she wanted to voice. One of the things that the County Commissioners shared with her once they had voted to approve the zone change is that they were going to do a traffic study. Since that meeting, she found out that the traffic study actually doesn't occur now. When the builder proposes the property design, and in this case, it is supposed to be apartments, that is when they do the traffic study and talk about how they are going to mitigate the problems with the traffic. For the record, she is a school psychologist and works with families, and has been with the school district her entire career. Quality of life is extremely important to her because she does work with families, and she understands that when there isn't a quality of life, how it affects children and parents. One of the problems that she foresees with the changes on Coleman Road is that, typically, you have the opportunity to walk places. That is something that will not be available to people who are living on that road, because that road is extremely narrow. There aren't really a lot of businesses, and if you have something like you're proposing, that she knows they have already passed, for Coleman Road in town, not only would people be able to walk and access schools and things like that with walking, but also small businesses would benefit. She shared at the County Commissioners' meeting that she personally received some property from her parents that is equal to the acreage with water rights that fit a better quality of life with walking and accessing schools, businesses, and the pool and parks, where the area where you passed the zone change is actually very isolated, and there is primarily farming and roads and canals that would be dangerous to those individuals.

Eric Dillon, 1427 Coleman Road, spoke regarding the decision made by the Board of County Commissioners on Coleman Road. He shared that it appears to him that a lot of the things they've read about the decision that has possibly been made, there are a lot of dangers in the area

where this property is going in. The Coleman Dam is right there, and there is a very big head gate that is on the canal. That waterway is right behind where this proposed complex is going to be built. His driveway is shared by Truckee Carson Irrigation District (TCID), and he always talk to TCID ditch riders. They let him know or ask him to watch for people in the water because that is an extremely dangerous current where animals and people die in there. That is a particular place that is very dangerous. He assumes that a wall will probably need to be built back there, but it will need to be pretty big. They have problems also with people coming onto their property, and their parcel borders that property to be developed. There is hunting in this area, and there are people that do go out there to hunt, and with this complex going in there, there will be children and teenagers that will probably want to go out onto that property, which is theirs, and do those kinds of things. He was a kid, and he knows it will probably happen even more so with the additional people from the complex. A stop sign was put up several years ago at Coleman Road and Venturacci Lane to slow down the traffic. If anyone has been down that road, they can see skid marks on the pavement near that stop sign. Semi-trucks are using Coleman Road now, because it is a lot quicker to go that way than to go on Williams Avenue. He saw in an article that was written about this development that they will have canoeing, kayaking, and swimming right behind them, not even knowing how dangerous that area is. It is not like it is down at the highway where the water moves a little slower. Up in this area the water is moving very fast. You could throw an innertube into the water, and it will get sucked in to go through the headgate. That is a false statement that they put in there that it could be used for recreation. There will have to be major changes on Coleman Road to address the traffic issues. A lot of other properties are probably fifteen feet (15') lower than Coleman Road. The same person, who wrote the article about the swimming, said that there will be turnouts to get into there. The work that would have to be done to create these turnouts will involve the rest of those houses along there, unless all of those were bought up, too. TCID already has a problem with large amounts of trash and debris that is put into the canal by people that clogs the dam. People have gone camping in that area, and with more kids at this complex, they will think that they can go down there too, but it is private property. There are a lot of problems with trespassing, junk and debris dumping, and encampments along the river back there. He doesn't think that anyone has even looked into that to think that they can build anything like this that close to that waterway down through there.

Chair Arciniega asked for any other public comments, and 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 July 6, 2022, between 8:30 a.m. and 3:30 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:

Chair Arciniega asked for any changes to the agenda. The Administrative Assistant stated that there were none.

Vice Chair Yates moved to approve the agenda as submitted. Member Getto seconded the motion which carried by unanimous vote.

6. Verification of notification of all landowners in accordance with NRS and the Churchill

County Consolidated Development Code:

Chair Arciniega verified with the Administrative Assistant, who stated that every effort was made to send notification 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. June 8, 2022 Hearing

Vice Chair Yates moved to approve the June 8, 2022 minutes as written.

Member Getto seconded the motion and the decision carried by unanimous vote.

10. Public Hearings:

- A. Consideration and possible action re: A temporary use permit application for temporary quarters for general purposes filed by Kent Champneys for property located at 6840 Reno Highway, Assessor's Parcel Number 008-141-03, consisting of 6.97 acres in the C-2 zoning district. The applicant proposes an RV for a caretaker to live on the property to discourage theft and vandalism, similar to a Commercial Watchman, though without a business. The caretaker will help clean the property and assist with re-establishing the previous Rock Shop.

Kent Champneys, owner of 6840 Reno Highway, stated that his dad used to have an old rock shop at this location. After he passed away the property was deeded to Mr. Champneys. He has spent a lot of time over the last few years coming to the parcel to get things cleaned up. He lives and works in Utah, so it has taken him quite a while to get it to the point it is now. Mr. Champneys said that he met Josh Elderton and his wife, who were willing to work for a place to park their motorhome and RV, so Kent Champneys thought that he could help someone out and get some help with the cleanup at the same time. He admitted that he failed to go through the proper channels before he allowed them to start living on the property. He is trying to get the proper permits now for Josh and his wife to be able to stay on the property and clean it up and keep an eye on the stuff that is there.

Mr. Champneys said that he has been told that the buildings would only be allowed to be used for storage and not permitted for any retail business. He was considering an outdoor rock shop. If he could still open the rock shop and leave all of the rocks displayed in troughs and barrels on the exterior, and then Josh could use his RV as the office or whatever. He would like to keep the business going and not just throw away all of his dad's life's work.

Kent Champneys remarked that he has talked with his brothers about the potential for storage units and other business activities, but they haven't made any definite plans of what to do with the property. Having Josh on the property has helped him to have someone at the location and can help him to keep up with what is going on.

Chair Arciniega stated that he understands that this application is a result of a code compliance violation, and he asked the Code Compliance Official to come forward to speak. Loreli LeBaron, Code Compliance Official, agreed with the recommendations that are in the Staff Report. A lot more progress has been made in the last few weeks on the cleanup. The initial code enforcement action was a result of three (3) RVs at one time being used for temporary residences on this parcel without a temporary use permit application approval. Based upon the inspection done the day of the meeting there was only one RV being occupied by Josh. The concern that Ms. LeBaron has regarding code compliance is that there are multiple RVs on the parcel that are not currently being used for a residence, but leaving them on the property would potentially allow somebody to occupy them at any time. The bonus about having the permit granted is the continued cleanup would be a start toward bringing the property into compliance. Kent Champneys said that he and Loreli discussed getting a

written agreement with Josh that if he violates the temporary use permit or other codes that he will have to leave. He mentioned that he has a sister that could possibly take Josh's place in the future to care for the property.

Chair Arciniega inquired if there is only one RV right now, or if there is more than one. Loreli LeBaron answered that there is only one RV occupied; but one RV is used for storage, one RV is stored onsite, and there are two campers that are not occupied. Chair Arciniega questioned about the trailer that is in the back. Ms. LeBaron stated that the single-wide mobile home was originally at the front of the property, and a little over a year ago they relocated it to the back of the property and are in the process of dismantling it. Kent Champneys informed that Josh Elderton said that he could get quite a bit for the scrap metal on it, so he let him do that.

Mr. Champneys shared more information about the structures on the property, and that during his visit with the building inspector it was determined that it would cost more than it was worth to try to bring them up to meet current building codes. He was told that he could use them for storage only. He went on to share other business ideas he has in mind. Chair Arciniega asked if the RVs belong to Mr. Champneys, and Kent said that the campers do. There are two motorhomes and one travel trailer that do not belong to him. Chair Arciniega questioned who owned the other RVs, and Mr. Champneys responded that he does not know. He believes that Josh owns two of them (a motorhome is storage and a travel trailer to live in). Regarding the motorhome that showed up recently, he was told that they were only going to be there temporarily to head back east. Chair Arciniega inquired who allows this to happen. Kent Champneys pointed to Josh for allowing others to come onto the property, and he had a very long conversation with Josh about doing things without his knowledge and okay. He continued by saying that he and Josh both have soft hearts that want to help people. Chair Arciniega suggested that they use this ambition to clean up the property. Kent Champneys admitted that he can see that it hasn't been going in the direction that he dreamed it would. He again wondered if he entered into a contract with Josh to more particularly state the expectations, and if Josh fails to uphold his end, he will have to leave.

Dean Patterson, Senior Planner, pointed to an aerial photograph in the staff report, where near the shop on the left hand side is the mobile home that has been moved to the rear of the parcel. He then noted on the site plan that around the shop and other buildings there is quite a lot of debris. He also shared photographs that were included in the staff report to show a large amount of debris, but north of that contains little debris. This area is now filled with RVs and much debris. He also shared photographs that were included in the staff report to show the large amount of debris around the RVs. Part of the difficulty with reviewing this application is that the watchman, Josh, was supposed to be there to cleanup the property, and what's really happened is that he has brought a large amount of debris of his own including four vehicles besides the RVs. He has also allowed someone else to bring their RV to live in. The staff recommendation has a couple of options: deny the application because things aren't going the way that they have proposed in the application, or if they are inclined to approve the application, set the renewal at a short timeframe (three to four months) in order to monitor the progress of the cleanup, which is the primary reason for Josh to reside there.

Mr. Patterson addressed the idea mentioned by Mr. Champneys of an outdoor shop by stating that retail businesses have to have facilities for their employees and customers, which means an office of some sort, even if it is small, with restroom facilities. Kent also brought up the idea of a flea market or yard sale scenario, and he would need to work with the department for other types of uses and what permitting it would require. The business ideas are outside of the purview of the temporary use permit application. He believes that if Mr. Champneys wants to pursue these other ideas it would require a

special use permit, and this would come back before the Planning Commission to discuss those at a later time.

Chair Arciniega asked for any public comment.

Terri Pearson, 500 Lucas Road, asked if all of the neighbors were notified. Diane Moyle stated that it is required with a temporary use permit to notify property owners within 100' of the property boundaries. She commented that Josh has been one of the best neighbors that she has ever had since she's been there (about 20 years). She has seen a lot of progress toward cleaning up the property.

Chair Arciniega asked for any other public comment; there were no more. Therefore, he turned the discussion over to the commissioners.

Member Bunyard restated that there is no active business at this location yet and questioned the necessity of what equates to a night watchman. Kent Champneys pointed out that there are a lot of items all over the property that could be considered valuable, and these things are susceptible to being stolen. He believes that Josh Elderton has been taken advantage of by some people, and Kent Champneys admitted that he also is guilty of asking forgiveness instead of permission. Member Bunyard asked what the consequences would be if the Planning Commission denied the permit and he had to get rid of the night watchman, other than someone possibly stealing something or someone else trespassing. Mr. Champneys has visited the property before and found homeless camps under the trees on the parcel. Since Josh has been there, he doesn't find that kind of activity going on. He has talked with Loreli LeBaron about possibly running chain link fence along the frontage of Reno Highway, and then he would just have a sliding, locking gate and no trespassing signs if Josh would have to leave. If he did decide to move forward with storage units, he would want to have it gated completely. He also mentioned something about video camera systems and so on.

Member Diehl asked if he got a set up permit from the building department to place the RV. Kent Champneys remarked that Josh had his RV out by a tree and indicated that he had permission from Kent's brother, but he didn't know anything about it. Member Diehl again questioned if he applied for a temporary use permit before, and Kent Champneys said that this is the first time. Member Diehl then inquired if Josh has been on the property without any permits, and Kent agreed that it has probably been about eight months. Member Diehl noted that in order for them to have someone live in a temporary residence they would have to get a permit from the Building Department. Mr. Champneys said that he has turned in the application and paid the fee for the temporary use permit. Director Chris Spross noted that the Building Official did submit some comments related to this application and further clarified what he believes the Planning Commissioner was trying to state is that before anyone can occupy the RV, they are supposed to obtain a placement and setup permit from the building department, so that they can ensure that it is setup properly. Part of that permit is an inspection to make sure that the electrical, the water and the septic system is hooked up correctly to ensure that no effluent hitting the ground, no chance of any fire, and so on. Because the condition of the septic system is unknown and is not on any record at the county, there will have to be an inspection for that septic system prior to occupancy of the RV. These things will have to be done if this permit application is approved.

Kent Champneys noted that he has access to one of the office trailers that is air conditioned and has restrooms in it. Chair Arciniega interjected that it would still require approval to use any temporary structure. He wanted to make sure that Mr. Champneys understood. Kent Champneys thinks that it may be easier to get approval for it rather than Josh's RV.

Dean Patterson pointed out that there is a sizeable list of recommended conditions of approval. He hoped that Mr. Champneys has reviewed these. Should the commission decide to

approve the permit, he would recommend to keep a check on the progress toward getting the place cleaned up. As he mentioned earlier, they could accomplish this with short approval spans where he would need to renewal like every three months or so. He also stated that it should be specified that Josh would be the only watchman, and if Mr. Champneys changed to a different one, he would need to come back and talk with the commissioners about that. During an inspection of the property, it was noticed that they have a portable toilet, which is not allowed to be used for long term use. That needs to be removed and then the waste collection company would be pumping the RV rather than the portable toilet. Mr. Champneys should keep a dumpster onsite at all times so that Josh can continually make progress on getting things cleaned up. He understands that Mr. Champneys sees some value in things, but if there is no buyer, there is no value. Things just need to move in the direction of getting people that want the items to remove them from the property or dispose of the items that no one wants. All of the other RVs and truck campers should be removed because anyone could just show up and start living in them again. This has been the difficulty so far. When he went to the location right after the application was submitted, there was a kid living in a truck bed camper sitting on the ground. That type of thing is just not appropriate as a living quarters, which is why the staff is recommending removing all of the trailers and campers except the one that Josh would be residing if this permit is approved.

Member Getto inquired how long Mr. Champneys envisions this process taking. Mr. Champneys said that it is hard to tell. He illustrated the progress that has already been made by saying that his dad, who passed three years ago, wouldn't recognize the place. He shared that Josh turned the old barn into kind of his workshop and Mr. Champneys isn't sure where Josh would put all of his stuff except on this property. He commented on Josh being a pretty good mechanic and how he has all of this tools set up there. Part of the reason he'd like to be able to have an outside rock shop is to be able to sell off some of the items that are on the lot. Chair Arciniega interjected to ask Mr. Champneys to answer Member Getto's question, and Kent Champneys asked to be given six months or maybe three months, although it is pretty hot right now. He thinks that he could get some stuff out and put up for sale signs and try to get rid of some of the things that he thinks are of value. It is hard when he is 600 miles away and hard for him to find time to spend much time at the site. When he is there, he is pretty productive. When the temperatures are in the hundreds the productivity declines.

Vice Chair Yates stated that Mr. Champneys has a pretty tall order here and it isn't just piles of rocks that we are talking about. There are several campers, automobiles, RVs, and those have to be removed, not just moved around and hidden behind other things. He pointed out that if the permit were to be granted, things have to start moving off of the property. He asked if Mr. Champneys and Josh have a solid plan in place to make that happen. He is not getting the feeling that they do. Kent Champneys noted that the only things that he owns are the truck campers and doesn't own any of the other large items. Vice Chair Yates reiterated that Mr. Champneys owns the property, and, therefore, he is responsible for everything on it. Without feeling like they have a solid plan to get into compliance, he is reluctant to grant this temporary use permit. He needs to feel like something is going to happen and is not getting that feeling right now. Kent Champneys said that he wasn't sure exactly what you were going to need from him and from Josh.

Chair Arciniega asked staff if Mr. Champneys was made aware of the conditions and other items. Mr. Champneys said that Josh told him that he had to take down an electrical wire. Dean Patterson informed that the staff report is sent to all applicants for their applications, so Mr. Champneys had provided an address on the application where this was sent. Kent Champneys wondered if it went to Fallon, and Dean Patterson stated that it went to the Utah address that was

provided on the application. Vice Chair Yates restated his question of whether or not Mr. Champneys has a plan to get all of that stuff off in a timely fashion. Kent Champneys responded that he could make one. Vice Chair Yates verified that six months would still be a good timeframe to have the property in compliance, and Mr. Champneys replied in the affirmative and then said that it will be a lot to do. Dean Patterson said that some of the recommended conditions could be used to contribute toward a plan regarding the timeframe and such. Vice Chair Yates understands what Mr. Patterson is saying, but he's not convinced that Mr. Champneys understands. Kent Champneys inquired what all Josh would be allowed to have there for his use, and there were several people letting him know that Josh could only have the RV he is residing at this location. Member Diehl asked if Kent received a copy of the staff report, and he said that he doesn't think that he did. She gave him a copy of it for him to review. Diane Moyle, Administrative Assistant, stated that the application listed an address in Utah, so that is where the letter was mailed because it was the only address provided.

Member Picotte questioned if the Planning Commission could even approve this application since there isn't an active business at this location. Dean Patterson explained that this is why Mr. Champneys was encouraged to file for a temporary use permit for General Purposes because he didn't qualify for a commercial watchman because there isn't a business there. He is asking for something that is "sort of like" a commercial watchman. Member Picotte said that it doesn't sound like the camper meets the provisions to be lived in currently without the electric, water and sewer. He asked if there is a company on contract to take the septic out of the RV. He also thinks that a lot of this is contingent upon whether the building department is going to allow this in the first place. Mr. Champneys reported that he was renting an outhouse from Marshall's Septic, and then Josh said that they have their own porta-potty. Member Picotte restated that those are not allowed in this case. Kent Champneys said that the company would charge by the gallon just to clean the waste out of the trailer. Member Picotte inquired if Josh currently has the correct electricity connection. Kent Champneys said that he was told that there were several inspectors that came and looked at the property, but he doesn't know much about it. Loreli LeBaron interjected that they do have electricity to the RV from the south side of the barn-like structure. They are using an extension cord to the RV. She disclosed that when she and Ray Brown, building inspector, went out there one of her biggest concerns related to safety was the electrical connected to one of the other RVs because it sparked in front of her and nearly caught fire. That was removed immediately, and they were going to move the electrical from the small building behind the old Rock Shop, which was used at the time for a kitchenette area. Mr. Champneys was informed and understands that he can no longer use any of those buildings on the property for residential use because it is commercial property and lost the legal, non-conforming use to have a primary residence after 365 days of non-use. The other concern that she has is regarding the RV. Although it does have a holding tank, she is not sure that it would hold the amount that it would need to. It would have to be pumped fairly regularly in her opinion. Dean Patterson followed by stating that the building department may have some alternatives for what would be allowed such as a holding tank.

Chair Arciniega noted that staff recommends either an approval of the application for three to four months for property cleanup with renewals based upon monitoring and recommendations, or denial of the application based upon any real need for a watchman. He called for a motion for the findings for this application.

Member Bunyard asked counsel if they make the recommendation to approve the application for three to four months and reassess upon renewal, will that need to be included in the motion for the findings. Joe Sanford, Deputy District Attorney—Civil, wasn't quite sure what Mr. Bunyard's

question was, but if he was asking if they wanted to approve it for three to four months, would they need to make findings that it is appropriate and that the county code is met, they would need to include that in the findings.

Member Bunyard, based on the information provided in the application, in the staff report, and heard tonight, moved that the findings have been met for conformance with the criteria found in CCC 16.08.070(B)6 regarding a Temporary Use Permit for Temporary Quarters for General Purposes on APN 008-141-03. Member Getto seconded the motion, and the decision did not pass due to a vote of three (3) in favor (Members Bunyard, Getto, and Diehl) to three (3) opposed (Members Arciniega, Yates and Picotte).

Since the motion did not pass by a majority vote, Joe Sanford-Deputy District Attorney—Civil, stated that they could table the matter to discuss further, take another vote, or if it is not approved by action, then it is not approved. Chair Arciniega asked if there was any more discussion. Member Bunyard said that if they would approve this temporary use permit for a three (3) or four (4) month time period, he would have to come back in for renewal of the permit, and if they don't, then it is just a denial, and the watchman would have to move out immediately. He asked counsel if this is correct. Joe Sanford stated that, currently, it is in a non-conforming state, so, yes, he would be obligated to move out. We would follow up with fines and fees for failure to comply. He currently is not supposed to be there. Member Diehl wondered if they decided to table the decision for a couple of months and then request Loreli update them when they are close to compliance, would he be able to keep the watchman there. Joe Sanford, DA—Civil, said that this is a somewhat complicated question because part of the purpose for the watchman is to actually cleanup the property. If the property was cleaned up, they would have a slightly different basis for his application. That would then come before the Planning Commission at that time to make an appropriate decision as to whether it met the findings at that time. He thinks that part of it would be that the person residing in the RV would have to move off the parcel and just come to the property to clean it up, but he couldn't live there. Dean Patterson agreed with counsel that if they do not approve it, Josh would have to move off the property. Member Diehl's question was regarding tabling it for a couple of months, and they would need to provide a reason, such as, come back in a month with a plan put together, like Vice Chair Yates was asking for. If they were to table it for three months, they should just approve the application for three months to allow Josh to reside in his RV and then they come back in three months to show their progress. Member Diehl would like to give him at least a month because it doesn't seem that Mr. Champneys knew what was happening on his property. He may need a chance to get more organized. Kent Champneys stated that it would take Josh three months just to get his stuff off of there.

Member Picotte said that he is concerned that the RV is not habitable, and he has been living there, so he would recommend giving thirty (30) days to get authorization from the building department, or whoever has authority, that the RV is habitable. Once it is determined that it would be safe for habitation, he would be more comfortable approving it as a temporary residence.

Chair Arciniega asked counsel if they could take another vote based on the findings that they already have, or would they need a new motion for the findings allowing a 30-day period. Joe Sanford responded that if their intention is to vote yes because of the way the findings are set up, he think that should be done through discussion beforehand. If you make a vote to approve the findings, you are

saying that it is appropriate, and now the question is what specific conditions you are going to require. At least it appears that the intention would be if you made the vote for the findings as they have been presented, then you wouldn't need a new motion for 30 days because you haven't actually set conditions as part of the findings. Dean Patterson clarified that if they wish to approve it for one month, they could change the condition related to three to four months to whatever they want. If you want to table it for more information, that is another option. Joe Sanford brought up the fact that if they wish to table it, it is currently non-conforming, and so Josh should not be there right now. Tabling it isn't an approval and is actually like a denial at this point. Mr. Champneys expressed his desire for an approval for one month. Chair Arciniega called for another motion for the findings.

Member Bunyard, based on the information provided in the application, in the staff report, and heard tonight, moved that the findings have not been met for conformance with the criteria found in CCC 16.08.070(B)6 regarding a Temporary Use Permit for Temporary Quarters for General Purposes on APN 008-141-03. Vice Chair Yates seconded the motion and the decision passed by a vote of five (5) in favor (Members Bunyard, Diehl, Arciniega, Yates, and Picotte) and one (1) opposed (Member Getto). Chair Arciniega informed that the findings have not been met.

Member Bunyard, based on the previously adopted denial of findings made for this project, moved to deny the application for a Temporary Use Permit for Kent Champneys to establish a Temporary Quarters for General Purposes at 6840 Reno Hwy (APN 008-141-03). Member Picotte seconded the motion and the decision carried by a vote of five (5) in favor (Members Bunyard, Diehl, Arciniega, Yates and Picotte) and one (1) opposed (Member Getto).

Chair Arciniega advised that there is an opportunity to reapply, and he suggested that he work with code compliance and staff with the department to move forward with that. He was also told that he could file an appeal of the Planning Commission's decision to the Board within ten days.

B. Consideration and possible action re: A home business special use permit to establish a mobile welding business filed by Refugio Trillo for property located at 6901 Cox Road, Assessor's Parcel Number 008-112-12, consisting of 5.0 acres in the A-5 zoning district. The applicant proposes to convert an existing hay shed into the business shop.

Refugio Trillo, 6901 Cox Road, wants to have a license to start a business from his home. He would like to convert the shed into a shop where he has a place to work and keep his equipment safe. Chair Arciniega asked what type of business he wants to run there, and Mr. Trillo responded welding. Chair Arciniega inquired if he was doing welding at the site or in the shop. Refugio Trillo answered that this is mobile welding for heavy equipment, trailers, fencing and things like that.

Chair Arciniega asked for any public comments; there were none. Therefore, he turned the discussion over to the commissioners.

Vice Chair Yates asked for clarification that most of the welding will be done off site, but Mr. Trillo does want to do some welding at this location. Refugio Trillo verified this to be accurate. Vice Chair Yates inquired how much welding will be done here, and Mr. Trillo said that he is just starting right now as he just moved from Reno. He was doing pretty good over there, but he just moved here

and not sure right now of a number.

Director Spross understands that Mr. Trillo will do some welding at the shop and asked if he will have customers coming to the shop as well. There was an answer that there would be customers at the shop. Director Spross explained that when he starts having customers come to his shop that triggers a lot of building department requirements. He will need parking for customers, ADA (Americans with Disabilities Act) parking for customers, bathrooms for customers that meet ADA regulations, etc. When Mr. Trillo was talking about a mobile business that indicates that he will be work away from the shop, but when he has people coming to the shop there are other things that he will need to do because he is inviting the public to a place of business, and they have to be able to park and have a bathroom available. He encouraged Mr. Trillo to think about that to decide whether or not he really wants to have people coming to the shop. These were comments shared from the Building Official. Director Spross noted that the department did receive two letters from neighboring property owners in support of this application.

Member Diehl verified that Mr. Trillo was going to turn the barn into a workshop. Refugio Trillo confirmed that he planned to turn the hay shed on the south side of the property into a workshop. He said that he has a lot of parking near the shed. He stated that everything there is open and is sand. He also remarked that he doesn't want to have that many customers on his property, and there may be only two or three a day. Member Diehl asked Mr. Trillo if he has been to the building department to get a permit to change the hay barn into a shop. Member Diehl asked if there would be anything flammable in this area since welding creates sparks. How do you protect things to keep from starting a fire? Mr. Trillo's son answered that right now the shed has a sand floor, but he was hoping to put in a concrete floor, so there would be nothing flammable in that perspective. The welding that would be done there would be in the center of the building away from anything that could be flammable on the outer edges.

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

Member Bunyard, based on the information provided in the application, in the staff report, and heard tonight, moved that the findings have been met for conformance with the criteria found in CCC 16.08.080(H) on APN 008-112-12. Member Getto seconded the motion and the decision carried by unanimous vote.

Vice Chair Yates, based on the previously adopted findings made for this project, moved to approve the special use permit application to establish a Home-Based Business for mobile welding at 6901 Cox Road (APN 008-112-12). This approval is subject to conditions, as listed in the Staff Report. Member Getto seconded the motion and the decision carried by unanimous vote.

Recommended Conditions:

1. *Approval of the Home-Based Business is limited to:*
 - a. *Operation only by Refugio Trillo. Approval is not transferrable to another location or operator.*
 - b. *This approval is for the proposed mobile welding business. Adding other activities, such as mobile plumbing services, welding classes, etc. is prohibited.*
 - c. *Business hours and customer visits are limited to those proposed in the application.*
2. *The project must be in conformance with County Code, including but not limited to:*

- a. *No outside storage, signage, or outdoor light has been approved.*
 - b. *A business license must be obtained and maintained.*
 - c. *All necessary building permits must be obtained for converting the hay shed into a shop.*
 - d. *All changes and inspections required by the Fire Marshall shall be implemented.*
3. *Operations shall be conducted in a manner that do not create a nuisance (public or private) under Nevada law or Churchill County Code.*

Chair Arciniega thanked the applicant and explained that the conditions were included with the staff report that was mailed to him. He asked that the son go over those with his father to ensure that he understands. He then advised that there is a ten-day appeal period and to contact the department for further permitting procedures. Dean Patterson pointed out to Mr. Trillo that he has an existing hay shed with a sand floor, so it could be tricky converting a building like that to a shop. He recommended that they contact the building department and work closely with them to make sure it gets done correctly.

- C. Consideration and possible action re: A variance application for an increase in the maximum number of onsite storage containers filed by Nick Biscay, CEO, Stanislaus Farm Supply, for property located at 500 Gummow Drive, Assessor's Parcel Number 008-391-10, consisting of 3.54 acres in the C-1 zoning district. The applicant requests to increase the number of allowed storage containers from 4 to 16 to house a variety of products.

Don Chesney, Environmental Program Director (Certified Engineer and Crop Advisor in California) reported that he had met with Dean Patterson on June 2, 2022 to discuss the project. They are asking for permission for an increase from the code regulation, which allows four containers on this property, to allow sixteen containers. This would be an additional twelve. He demonstrated on the aerial photograph displayed on the east side of Gummow Drive the footprint of the containers they have along the railroad tracks. To the north of that and west of the building there are two other containers that they turned into a workshop. On the west side of Gummow Drive behind a slatted chain link fence is the footprint where they propose to move the containers. They do plan to keep four containers east of the electric pole on the East side of Gummow and south of the building because they are tied into electricity to be heated during the wintertime. The remaining containers west of the pole would be moved over to the west side of Gummow Drive behind the screened fence.

Chair Arciniega asked for any public comment; there were none. Therefore, he turned the discussion over to the commissioners.

Vice Chair Yates asked about what is in the containers, and Aron Johnston, Vice President of Operations, responded that they keep the chemicals needed during the season, feed/fertilizer, and products that would freeze in the winter, which is why they have heaters in them. Vice Chair Yates inquired about the long term plan for replacing these containers. Mr. Johnston stated that there has been talk about a shop in the future, but they want to see if the business takes off so that they don't invest all of that money if it isn't productive.

Director Spross noted that there are sixteen containers on the property right now, so they are coming in to make this legal. There were four letters received regarding this application, all four letters are in support of this variance, and all four letters site the advantage to agriculture in the area.

Chair Arciniega said that there weren't always sixteen containers out here, and he asked what caused the additional containers on the property. Don Chesney remarked that they had a store in Yerington that they closed and moved over to this property. Those containers were previously located

at the Yerington store site. They didn't know that there was a code related to the number of containers permitted in Churchill County because Yerington didn't have any regulations for those. They would like to maintain their services to the agricultural operations in the Fallon area.

Member Bunyard asked about the locations of containers at this time. Don Chesney shared on the overhead photograph the current location as well as future location of the containers. Member Bunyard pointed out that they would be reducing the number of containers that are visible and putting it over behind the fence on the other side of the road where it would be less visible. Don Chesney concurred with that understanding. Chair Arciniega inquired that when these are moved if they would meet the setback requirement. Don Chesney believes that would be correct. When he looked at all of the codes, he came up with a 60' right of way for Gummow Drive. He assumed that was 30' from the centerline east to west. Apparently, in 2018 the code was change and now it is a 90' setback from the centerline of the road. The two containers nearest the building were put there in approximately 2016, so he was asking that they would be grandfathered in. The others by the pole were placed about 2017-2018. He believes that the issue, according to Mr. Patterson, was to get them behind some kind of barrier so that they couldn't be seen from Gummow Drive. Dean Patterson, Senior Planner, stated that the two containers next to the building did not meet the previous setback either, which would have been 30' for the easement plus 30' setback, and these are at around 40' back. Even when they were placed, they were placed in a non-conforming position, so they would not get a grandfathered status because they were not legally placed at the time they were put on the property. The staff recommendation is that all containers meet the setback, and that would reduce the visual impact of having so many containers along our community gateway and entries. He believes that Mr. Biscay indicated that it would be like four containers on the south side of the building and all of the rest of them would go across the street in the storage yard. Mr. Patterson drew attention to the staff report where they are recommending approval with a couple of options that they suggest the commissioners think about. First, the variance be approved for a three year period that would give the company time to figure out a more permanent storage solution (condition #7), or if they either don't want a limit or to change the length of time, they would change or remove that condition. Second, on condition 8, which talks about screening the storage yard as a compensation for having so many storage containers on the site. If you think that is a good idea, then you keep that condition, or if you don't think it is necessary, then remove condition 8.

Chair Arciniega asked the applicant if he thinks that three years is an adequate time to decide if their business will be a success to construct a more permanent storage. Don Chesney wants to be good neighbors to the community. With logistic issues right now regarding supply chains and everything that is going on, it is really difficult for the company to maintain storage of all of these materials. Is this going to last three years? He can't say. They might be able to reduce the number of containers down to four, which he assumes would be acceptable to the county. That might be possible in three years, but he thought by the way this condition was worded is that we would revisit this in three years to see where they are at and make a determination from that point. The container that is on the west side of the fence is already obscured by the screening in the fence. There is also a lot of equipment back there. It is crucial for them to have heating during the wintertime, and that is where the power pole south of the building supplies power to those containers. We would request that they remain in that location, and the others would be placed over to the west. They would also like to request that the two next to the building be able to remain because that is where they have a shop area. He understood what Mr. Patterson said about the containers not being placed legally outside of the setback, and then he pointed out that neither was the building when it was constructed. He

requests to leave the two for the shop where they are because it is a crucial part of their operation. This is where the mechanics do their work. The containers west of the power pole would be placed behind the screened fence on the west.

Dean Patterson pointed out an error in a suggested motion for the findings in the staff report relates to a variance for the minimum parcel size, which is incorrect, so the motion would need to be a variance on the limit of storage containers.

Vice Chair Yates wanted to clarify regarding the two containers nearest the road and building because staff is saying that they must be moved, and the applicant is requesting that they not be moved. Dean Patterson noted that this is a code standard, so they must meet what is in the code or apply for a variance. Vice Chair Yates said that he understood that Mr. Biscay had mentioned to Mr. Patterson that he was going to move those two containers, and Dean Patterson doesn't remember speaking with Mr. Biscay about the two directly in front of the store. It wasn't until the review of the application, that he realized that these two were only 40' from the centerline of the road. That never met the code, even when they were placed. Vice Chair Yates asked the applicant if he understands that if they approve this as it is written right now, he will have to move those two containers. If he wants to keep them there, he will need to apply for another variance. Right now, the commissioners are only considering a variance to allow more than the limit of containers on the property. Aron Johnston said that he moved two of the containers right along the road and now they are 57' from the centerline of the road where it was 47'. Don Chesney mentioned a comment in the staff report that Gummow Road is considered a fast county road, and he couldn't find in the code where the 90' from centerline is the setback. Dean Patterson said that in the code Mr. Chesney probably saw the 30', which is the basic setback for all streets that are 25 miles per hour (mph) or less. The ones that are faster than this have an extra 30' for the setback. That is in a note below the setback standards. Mr. Chesney then inquired if that was from centerline or edge of pavement. Mr. Patterson informed that the setback is from the easement for the roadway. A normal easement is generally 30' from the centerline of the road, and then the 60' setback outside the road easement, which gives a total setback from the centerline of 90'. Mr. Chesney then mentioned that he doesn't know when this building was constructed, but obviously it was within the setback. Dean Patterson remarked that he measured this using the aerial photography and it is very close to the 60' from centerline, which was probably the standard at the time it was constructed. He further stated that he isn't talking about the building, but the new placement of the cargo containers.

Chair Arciniega questioned if they could make a decision noting the setback issue and requesting that they apply for another variance for that at a later time. Dean Patterson replied that if they make the motions as recommended or making whatever changes they wanted, then the two containers would need to be moved unless they submitted another variance application for the setback requirement. Joe Sanford, Deputy District Attorney-Civil, said that they could not approve the variance for the setback requirement today because it was not noticed for that. They could apply for that later. Chair Arciniega clarified that they could move forward with a decision on this application noting that. Joe Sanford said that they should just refer to compliance with the county code to avoid confusion regarding this variance application, which is only for the number of containers permitted. Director Spross shared a point of clarification on condition 3, it does say that the relocation of the containers were to take place within 90 days, so if the applicant submitted another variance application within that timeframe and it was approved, then they could stay in place.

Member Getto questioned Mr. Chesney if that would work for him that he could turn in another variance application regarding the setback requirement before the 90 day deadline, and he

responded that it would be very fair.

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

Member Getto, based on the information provided in the application, in the staff report, and heard tonight, moved that the findings have been met for conformance with the criteria found in CCC 16.08.090(F) regarding a Variance from the limit on storage containers allowed on the property on APN 008-391-10. Member Bunyard seconded the motion and the decision carried by unanimous vote.

Member Getto, based on the previously adopted findings made for this project, moved to approve the request for Variance to exceed the limit on storage containers allowed on the property found in CCC 16.16.020.1 at 500 Gummow (APN 008-391-10) to a total of sixteen (16). This approval is subject to conditions, as listed in the Staff Report with modification: to condition 3 to recommend that applicant submit another variance application regarding the setback requirement for two of the containers, modification to condition 7 to remove “On expiration, the storage containers shall be removed” and change the remaining to “shall be revisited in three (3) years”, and remove condition 8 for screening. [Joe Sanford questioned if the motion amending condition 3 would still include the deadline of ninety (90) days, and Member Getto concurred that all those to be moved must be done within this timeframe, and the two containers they wish to request a variance for would be allowed to remain until another variance is granted, preferably within the ninety (90) days.] Vice Chair Yates expressed his opinion that condition 8 should still be required for this approval. He understands that it already is screened, and Mr. Chesney stated that it is along Gummow Drive. Vice Chair Yates stated that there is no reason to remove condition 8. Dean Patterson pointed out that the fence is not screened from Reno Highway. Vice Chair Yates still believes that this should remain because this is an entry point into our community, and this is a requirement; he doesn’t believe it should be removed. Member Getto noted that we are a farming community, and this is a vital part. He doesn’t want to put more obstacles on top of what we are already asking. Vice Chair Yates responded that Conex boxes don’t reflect farming to him. It looks like storage, and he disagrees with removing condition 8. **Member Bunyard seconded the motion, and the decision carried by a vote of four (4) in favor (Members Arciniega, Bunyard, Myles, Picotte) and two (2) opposed (Members Diehl and Yates).**

Recommended Conditions:

- 1. This variance is only for Stanislaus Farm Supply. It is not transferable to another location or another operator.*
- 2. The approved maximum number of storage containers on the property shall be sixteen (16).*
- 3. All containers shall be setback a distance of ninety feet (90’) or more from the Gummow Drive centerline, with the exception that the two containers directly in front of the building may remain if approved in a Variance from the street setback. All other setbacks shall be met for all containers. The relocation of containers and any variance submittal shall take place within ninety (90) days.*
- 4. Containers shall be arranged in a neat and tidy manner.*

5. *This permit does not authorize trespass of equipment on adjoining properties.*
6. *Compliance with Churchill County Code.*
7. *This variance shall be revisited in three (3) years from the date of approval.*

Chair Arciniega thanked the applicant and advised that there is a ten-day appeal period and to contact the department for further permitting procedures. Dean Patterson inquired if Don Chesney would be getting another variance application submitted soon for the setback. The timeframe to get that done is ninety (90) days. Aron Johnston asked for clarification and was told that the containers would need to be 90' from the centerline of the road, except the two that they would like to obtain a variance for.

D. Consideration and possible action re: A major special use permit application for a Rail Based Services facility filed by James Soulia of Omaha Track for property located at 1006 Nevada Street, Assessor's Parcel Numbers 009-251-74, 009-251-86 and 009-251-88, consisting of a total of 121.22 acres in the A-10 and Industrial zoning district. The applicant proposes a rail tie and material sorting yard business.

Jim Soulia, Operations Director, stated that he is requesting a second special use permit for the railyard that is Union Pacific served in Hazen. Currently, they unload ties and rail there for all of Union Pacific and all rail served. They sort and process these items, and then send them back out to keep them out of landfills and other places where they were being sent. They send scrap ties to facilities to be chipped and burned, and some other ties go to Home Depot and Lowe's. The rails goes to make fence posts and other things, and the rest of it goes to scrap.

Chair Arciniega asked for any public comment.

Cheryl Doty, 1001 California Street, Hazen, noted that the site map that was sent with notification letters shows a location right across from California Street where the road bends as a proposed temporary rail loading area, and that is approximately 100 feet from her house. She lives across the tracks as demonstrated on the aerial photo displayed. In the blue area where they are proposing to do this rail loading, it is already loud and noisy, and it is located approximately 1000 yards from her house. She has a concern about it being right there closer to her house, including the trucks and equipment that will be going up and down the road. Chair Arciniega stated that this was initially passed in 2019, and he asked Ms. Doty if she has been living there since then and prior. Cheryl Doty confirmed; however, she said that the rail storage that they are referring to on this map has been further up the road on the hill. Ms. Doty requested that if they are still going to do this, they move the location further to the east away from the residences.

Allen Hughes, owner of several addresses in the vicinity of this operation, said that they have been a pretty decent neighbor since they started other than a few things. The biggest concern is that they are actively unloading their cars right in front of his house. He asked for the location of their approved unloading area to be shown on the map displayed on the screen. Mr. Hughes then pointed out that they are actually unloading most of their cars to the west in front of residences on Nevada Street about 90% of the time. The wind blows all of their dust right to the residences. He would like for them to move the cars toward the east closer to where the unloading should be taking place. He took photos today of what they are doing and where, and they were unloading cars where the old jail is, which is about 300 feet past his house almost to the Hazen Market. Other than that, they do pretty good on their dust control and keeping people traveling slow on the roads. If they would unload their cars where they say that they are, it would be awesome.

There being no further public comment, Chair Arciniega turned the discussion over to the commissioners.

Director Spross shared comments that were received in the department. There was one from the building department outlining what would be needed if the permit is approved, including the ADA parking compliance, permanent restroom facilities onsite, septic system requirement (commercial septic system designed by licensed Engineer), permits for all buildings and structures on the property, and other requirements listed in the consolidated development code. Another comment from a person that lives in the vicinity that was unable to attend the meeting wants a copy of the minutes when this is done. He shared that he would make sure that Diane Moyle, Administrative Assistant, gets that done.

Dean Patterson, Senior Planner, spoke regarding the rail storage area directly across from Ms. Doty's house. He pointed out that when staff reviewed the application, it looked like those areas may or may not be on the property owned by Omaha Track. Staff is recommending that those areas not be approved at this time, and that those storage areas be moved to the main work area. If they want to provide the details at a later date, they could file another special use permit. Similarly, the other rail spurs shown on the site plan don't have any defined work areas or indication of what is going to be going on there, so staff is recommending that those also not be approved at this time, but Omaha Track can apply for another special use permit for those areas when there is more details developed for what is going to be going on there. Member Diehl asked Dean to show on the map displayed the areas he was talking about, and Mr. Patterson pointed at them on the screen.

Chair Arciniega mentioned to Mr. Soulia that there are some concerns about where the operations are taking place right now. He asked him to address those. Jim Soulia stated that they do not have any operations on the other side of the tracks as that is all Union Pacific property. As he sees it, the rail runs in front of Ms. Doty's house, and the rails that he is familiar with is further east. He was brought in to build the facility, but Union Pacific put a stop to it. Omaha Track doesn't do or have any plans to do any work on that side of the tracks, or even to move anything over there. They are staying in their yard and confined in the spots that they are at right now. He wanted to be clear that they are not going over there now, and they have no plans to do so in the future. He has spoken with Dean Patterson that the piles that he does have will be moved to the yard just to get it out of there, or they will fence it off. It is just material that they are going to use if Union Pacific allows them to build the additional tracks. They will come to the county with the proper permits.

Jim Soulia further informed that, in regard to the cars that are brought to their facility, Union Pacific owns the property and is in charge of deliveries. They are a Union Pacific served yard, and they do not control the service that is provided in bringing the cars to have the ties offloaded. Union Pacific puts the cars like they do because they own all of the tracks. If they have an excessive number of cars, then they will spot the full amount there so they can offload them materials. They are permitted to go down that road by Union Pacific. If they only have 8-10 cars, then they will stay on Omaha Track's property, which is where the fence is located. He admits that Mr. Hughes is 100% correct in that they unload product from cars that are put in front of those residences. Union Pacific and the switch crew are in charge of where the cars are located. That is where Omaha Track is supposed to unload the cars. They have requested a second switch crew to come in and move the cars quicker, so that they can keep the cars from being placed in front of the residences. In the summertime they seem to be able to get that, but in the wintertime, when business is slower and they don't have the people to do it, they are just going to shove the cars in that area. They go right from the D rail, which is the Fallon main to wherever the cars stop. They start unloading cars at the farthest point east.

Chair Arciniega inquired if Omaha Track could address this issue with Union Pacific. Jim Soulia answered that they could cut down their car supply, but Union Pacific is going to put the cars in that area anyway.

Dean Patterson wondered if Mr. Soulia had his own car pusher that they could use to move them. Jim Soulia pointed out that it isn't their track. These cars go onto the main line, and since Amtrack runs on that line, there is no switching allowed by any contractors on that line. Allen Hughes noted that the cars don't seem to ever get pushed all of the way onto Omaha Track's property. They are always parked in front of his house or just past there. When they are unloaded by all of the employees, all of the dirt and dust comes into his house. If they would just unload them where they are supposed to, there would not be a problem. Jim Soulia shared that right now, Union Pacific has Omaha Track cut down to three days per week switching. These cars are based on a gang that is out working in Nevada, so most of this product is coming from Nevada or California. If they have a gang out working, they are sending him about 18 cars. They are shoving all 18 cars into this location, and that is why they are running down the tracks because Union Pacific won't come back to get them for two days. When Union Pacific comes back, they expect the cars to be unloaded. He will work with them to try to only go to the fence, but that fence is also right across from his property—if he goes to the property line, he will still be in view of Mr. Hughes property. Jim Soulia remarked that the last car is at the D rail. Mr. Hughes interjected that they are at 10 cars passed where they are supposed to be. Mr. Soulia tried to point out that this is done by Union Pacific and has nothing to do with Omaha Track. Jim Soulia invited anyone to visit the site to see that they do go to the D rail, and he admitted that there are cars outside of their property. He further commented that they would rather have the cars near the piles because it takes them more fuel and effort to go down the road to offload the product. They don't want the cars down there either, but that is where Union Pacific puts them. He stated that he would talk to the Yard Manager, Meg, to ensure that they are staying at the D rail.

Member Diehl asked if they were in compliance with the Fire Marshal's recommendations, and Mr. Soulia responded that they are. Member Diehl inquired if they have an office or plan to build an office to start selling. Jim Soulia pointed out that there is a small office building on the site, and they plan to construct an office building with restroom facilities. They are not selling to the public unless they just stop by because they want to be good neighbors. They sell to Home Depot and Lowe's, but it isn't something that they advertise. Usually, the people that stop by are those that see it as they drive through the area and need ties for fencing or ranching. Member Diehl verified that they are planning to construct an office, and she asked if they have obtained their permits. Jim Soulia noted that they have all of the permits. Right now, they have two temporary offices that have all of the permits done. The building in the application is in the process. They already have bids, they will be moving forward with it, and it should be at least started this year if not completed. The office will have crew quarters, bathroom facilities, and ADA access as required.

Vice Chair Yates questioned if Mr. Soulia is aware of the extensive list of recommended conditions should the commission decide to grant this permit, and Mr. Soulia confirmed that he has read these. He informed that Omaha Track has been working with staff throughout this process. Vice Chair Yates asked regarding the number of ties there, and Jim Soulia and Meg estimated right around 100,000. Vice Chair Yates wanted to ensure that they had reduced the number of ties as required in the first permit. Jim Soulia said that this should never be an issue again. Because of the price of fuel ties are becoming a real commodity for burning. Most of the concrete facilities and power industries that must convert to 40% biofuel are buying these railroad ties, because a railroad tie is considered a biofuel. As fast as they get ties in, they are sending them back out fairly quickly to these types of

facilities. Vice Chair Yates restated that the gentleman who came forward expressed some grave concerns, and he verified with Mr. Soulia that he would work with Union Pacific to address these. Jim Soulia agreed and stated that Mr. Hughes has been a great neighbor. He doesn't want to cause any issues and will try their best to work with them.

Director Spross, in order to address Vice Chair Yates' concern related to the number of ties onsite, noted that the applicant is sending a statement monthly outlining how many ties are coming in and going out to Loreli LeBaron, Code Compliance Official. We are monitoring how many ties are in the yard.

Dean Patterson addressed the list of recommended conditions found in the staff report. Some of these are carrying over from the previous special use permit, including the 150,000 limit on ties to be onsite. He further noted the storage areas north of tracks and the new rail spurs should come in later when details of their use will be developed and there will be new special use permit required for those. One item in the first portion of the conditions says that Omaha Track need to get a road maintenance agreement for Hazen Street due to retail customers using it for accessing the site. The scrap piles are very prominent now, and as staff understands they are working to figure out a solution for those. Those are the kinds of thing that are subject to the outside storage of materials, and so these need to be screened. Because these are so tall, we recommend a height limit of 10 feet. Condition 12 is referencing a number of the code standards. Basically, the site needs to meet the code requirements, including, parking, signage, landscaping, friction zone sound barrier along the town of Hazen, which would be the west property line, and those kinds of things. When the original permit was approved it included operations east of curving triangle in the middle of the picture, which never happened, so that is why staff requested a new special use permit for the current operations. By moving the majority of operations closer to the town of Hazen, it triggers other code requirements. Staff will need to work with Omaha Track to make sure that these things get done. Condition 3 requests a new site plan for the changes, and staff would like to work with Mr. Soulia to ensure that everything meets the code requirements. Jim Soulia verified that Mr. Patterson was asking for a new site plan to include things to meet the requirements that staff has asked for, and Dean Patterson responded in the affirmative. Dean Patterson further noted that due to the zoning district the Planning Commission must approve the signage, so Omaha Track was asked to provide something that the commissioners could approve. Jim Soulia confirmed that now that they are aware of the various other requirements, they will be able to better design something to aid in compliance with those. He had Meg pass around a copy of a picture of Omaha Track's usual signage at other locations. Chair Arciniega inquired about the size of the sign, and Meg reported that the dimensions are written on the copy of the picture of the sign. Jim Soulia reported that it is a steel I-beam that has Omaha Track in steel that is welded inside of it. It usually just sits on two posts. Member Getto stated for the record the dimensions on the hardcopy as 9' tall and 37" length of the beam and 33" height of the beam. Jim Soulia said that they plan to work with staff regarding the location of the sign, but it will be somewhere in the vicinity of the entrance into the facility where the building is going to be. They don't want to have trucks going all over Hazen; he wants to make sure that they stay on Nevada Street. He may also put some signs up to divert traffic to Nevada Street in order to keep people from going through the houses in Hazen. Dean Patterson demonstrated on the site plan displayed on the screen where they have noted a sign. He asked if this would be another sign or the one that they are proposing. Jim Soulia and Meg both indicated that it would be the one they are proposing. Mr. Soulia pointed out that they already have a sign down at California Street denoting the location for Omaha Track. He wondered if they should put one closer to the highway to direct all traffic to the correct path.

Chair Arciniega remarked that when he went by the facility, he noticed that the scrap piles seem to be quite high. He asked how they would address that. Jim Soulia explained that all scrap is sifted and metal pulled out of it. Today they were loading cars to go out, and the scrap metal will be chipped just like the ties. This is just railroad ties that have been splintered and broken. Meg said that the scrap is shipped to other yards. Chair Arciniega then inquired if that 10' height limit will be a problem. Jim Soulia and Meg indicated that they plan to reduce the height of the piles. They went through the whole yard to clean everything up and centrally located it. They understand that it is an eyesore, so they will be knocking that down and loading it into cars as they come. They get 20 cars per week that they can load that and scrap ties into.

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

Member Bunyard, based on the information provided in the application, in the staff report, and heard tonight, moved that the findings have been met for conformance with the criteria found in CCC 16.08.080(H) regarding a special use permit on APN 009-251-74, 009-251-86, & 009-251-88, as described in the Staff Report. Vice Chair Yates seconded the motion and the decision carried by unanimous vote.

Vice Chair Yates, based on the previously adopted findings made for this project, moved to approve the special use permit application for Omaha Track to establish a Rail Based Services Facility on APN 009-251-74, -86, & -88. This approval is subject to conditions, as listed in the Staff Report. Member Getto seconded the motion and the decision carried by unanimous vote.

Recommended Conditions:

- 1. This permit is subject to review/renewal in 1-year, to confirm progress toward conformance with County Code and conditions of approval.*
- 2. The facility shall operate within a limit of 150,000 railroad ties stored on-site at one time. Short term exceedance of this limit is allowed after consultation with the Planning Director, who may schedule a hearing with the Planning Commission if deemed necessary.*
- 3. Due to the need for numerous changes to the site layout, a new site plan shall be provided for approval by the Director within 3 months.*
- 4. Material storage north of the railroad mainline is NOT approved in this application. A new SUP will be required when development details are determined.*
- 5. Rail spur expansion on Lot 3 is NOT approved in this application. A new SUP will be required when development details are determined.*
- 6. Material handling and storage on the portion of Lot 1 west of the site road (adjacent to Hazen) is prohibited.*
- 7. Ownership and parcel lines. This permit allows operation of the rail yard across parcel lines. Building construction is not allowed across property lines. If parcels are sold so they are under separate ownership, this permit will be void and a new permit must be established to address the new ownership and operation changes.*
- 8. Dust and mud track out onto roads shall be controlled by providing an all-weather driving surface (gravel, paving, etc.) for all driving paths used in the operation, including roads, driveways, parking lots, and loading areas. General dust abatement on-site shall be provided by wood*

chips/shards, water, and dust palliatives.

9. *The applicant (a) shall abide by the road agreement with the County Road Department regarding the use and maintenance of Nevada Street, (b) shall enter into a new agreement for Hazen Ave. and (c) shall provide any additional direction signage as determined by the Road Supervisor.*
10. *The applicant shall provide all layout and improvement needs identified by the Fire Marshal, including but not limited to appropriate height limits for railroad tie stacking, appropriate spacing between stacking rows, configuration of the scrap piles, water facilities for fire suppression, and improvements to ensure all weather access within the site for emergency equipment.*
11. *The scrap piles shall not exceed 10 feet high.*
12. *The site must be constructed and operated in conformance with County Code and building permit requirements, and any state and federal permits and requirements; including but not limited to:*
 - a. *The storage of railroad ties must meet Fire Marshal requirements, setbacks, and other code limitations.*
 - b. *All “non-tie” outdoor storage must be screened. It is recommended that such storage be consolidated in a single area and provided with a screened fence.*
 - c. *Signage will conform to nine feet (9’) by thirty-seven inches (37”) by thirty-three inches (33”) and in the location as provided at the Planning Commission hearing.*
 - d. *Landscaping. Two parking lot trees shall be provided near the office and irrigated. Street landscaping shall be provided (a) at the entrance, and (b) along the Reno Highway frontage. Friction Zone landscaping shall be provided along the west property line (Hazen frontage). A landscaping plan shall be provided for approval by the Director within 3 months. Landscaping may include signage, plants with irrigation, decorative rocks, boulders, equipment of interest, etc.*
 - e. *A 7-foot sound barrier berm or wall shall be provided along the west property line (Hazen frontage). It shall be incorporated into the landscaping requirements. A grading permit is required.*
 - f. *A parking area shall be provided for employees and visitors. There must provide 25 parking spaces, and one must be ADA accessible (Asphalt or Cement). If staffing increases in the future, parking shall be increased to provide one space per employee, and one of them must be additional ADA space.*
 - g. *Lighting placed within the site shall meet the Churchill County Code dark skies standards to direct lighting down, and screen it from upward or horizontal projection.*
 - h. *Impact fees and water dedication requirements must be met.*
13. *Operations shall be conducted in a manner that does not create a nuisance (public or private) under Nevada law or Churchill County Code.*

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

E. Old Stone Ranch Planned Unit Development – A conceptual planned unit development application filed by NevDev, LLC for property located between Casey Road and Birch Lane, and property south of Birch Lane. The project will encompass Assessor Parcel Numbers 008-792-11, 008-792-95, 008-831-77, 008-831-85, and 008-831-86 for a total area of 107.239+/- acres. The properties were previously approved for urban development, but those approvals

have expired. The current concept proposes 619 single-family and multi-family residences. This number includes a request for bonus density in exchange for providing community benefit by constructing a County park. A copy of the concept plan is available for viewing in the Public Works, Planning and Zoning Department office.

Chair Arciniega announced that no decision was going to be made on this item. This is a time for the developer to bring forward their conceptual idea prior to submitting the planned unit development application. No vote will be taken at this meeting.

Dean Patterson, Senior Planner, said that the staff report for this item consists of three pages. The first page talks about this conceptual hearing stage and lists the requirements in the code. Basically, the staff report is providing a summary of the project, and then the applicant provides the presentation to the Planning Commission, and then the Planning Commission has an opportunity to provide recommendations, guidance, and other input to the applicant based upon what they feel is appropriate or not appropriate for this project. This gives the applicant an opportunity to hear what the Planning Commission thinks about the project before they go to the next step, that is fairly expensive, which is to submit the actual permit application for the planned unit development (PUD). At the next step the commissioners would be making a decision for recommendation to the Board of County Commissioners. On the second page is the summary of the project with a number of bullet items. Four of these items talk about density because that is a big issue with this project. Just the base zoning density for the entire project averages out to about 3.2 units per acre. This is what anyone who came in and filed a map for a subdivision would be able to get for this area. This could be done without any public notice to neighboring property owners. If an applicant brought in a normal PUD, without a density bonus, they could get 4 units per acre, and if they maximize the density bonus, which we talked about extensively at the last workshop, they could get 6.3 units per acre, assuming it was approved by the Planning Commission and Board of County Commissioners. So the maximum that this project could get with maximum bonus density would be 6.3 units per acre, and the applicants are asking for a density bonus for a total of 5.77 units per acres. To get the bonus density, they're proposing a county park, which they would build and then dedicate to the county. At the end of the staff report are key issues for guidance to the applicant. These are arrayed as questions to think about to see if Planning Commission members are comfortable with the various aspects of the project. They are not intended to be things that you ask other people.

Dave Snelgrove, Planning & Right of Way Manager at CFA, members of NevDev LLC, Kim & Dan McCreary & Jessica Stanger, Paul Solaegui, who completed the traffic study, and Kathleen Knight, Engineering Services Manager at CFA, were available for the presentation and to answer any questions. Mr. Snelgrove shared that they were at the Planning Commission workshop in February 2022, and they had a site layout with a similar appearance. They were at 648 units at that point, and now they are requesting 619 units with some of changes. There were some very good comments that came out of that discussion, not only from the neighbors and residents around the area, but also in working with the staff, which has continued the whole time. There may be other things that they need to do, and they will be listening to those things.

Dave Snelgrove started his presentation (a copy is attached). The north unit is between Casey Road and Birch Lane, and the south unit is south of Birch Lane. There is a total of 107.2 acres. In order to address some of the comments from the last workshop, they made some changes to their proposal. Displayed on the screen was an area marked in yellow where they originally thought to put some storage units, and they removed that. That area now has single family lots in a cul-de-sac at the end of Elizabeth Parkway. On the original plans for the previously approved development, Elizabeth

Parkway was planned to go through and connect to what is now Old Stone Parkway (previously Wildcat Parkway). He then moved to the south where it was previously proposed to have the parkway end at the property line. It was made very clear that there is no interest in continuing Old Stone Parkway to the Hammond Property to the south. They plan to end it at their own road and leave that area as more of a passive recreation area with walking trails to buffer the development from the properties to the south. He then moved to a light blue area on the far southern end where there will be a trail buffer that will give additional setback distances, which is part of the friction zone. They can landscape more intensely along that, and it also gives additional separation to the agricultural lands on the Ugalde and Hammond properties. There were comments that came out regarding the townhomes that they had designed before, which would be considered multi-family product rather than a single-family product. In some other jurisdictions townhomes are considered attached single-family homes, and that is not the case here. They needed to meet a friction zone requirement, which is typically a 100' separation between the structural uses. The townhome area has been redesigned. There were 4 homes along Birch Lane, which would have had the backs of lots that go to Birch Lane. Due to the concerns raised at the previous meeting, they got rid of the four lots. With the shift of the roadway for Old Stone Parkway, there was a change to the configuration to not only access into the park, but also some of the access into the homes on the southeastern side of the project.

Mr. Snelgrove also shared that the apartments are on the eastern side of Old Stone Parkway, which runs north-south through the north unit. This has remained at 408 units. They had the whole area on the western side of Old Stone Parkway previously identified to be all townhomes. They are now at 98 townhomes (previously 132), and they have broken Village 1 into two component parts—to the north is townhomes and to the south are thirteen lots for single-family homes, which will be connected by Black Bird. Villages 2 and 3 are down on the southern end and had previously been 108 units, so after some configuration changes and removing the four lots on Birch Lane, they are now at 100 units. This brings the total of 619 conceptually designed units or lots within the subdivision.

In the purple area displayed, Dave Snelgrove noted that they have planned a community park with ten acres of that defined as the community benefit area that helps to get to the density bonus. The bigger green area is a 7 acre flat field space that can be used for multiple types of sports, and there would be parking and bathroom facilities in that 10-acre area. Through the rest of the site in the areas that are not highlighted are other open space areas that aren't within an apartment or townhome area and counts toward the basic standard of 20% of the site for open space.

Mr. Snelgrove addressed some of the questions that have come up during this process about why here in this location and if it is the appropriate area. A large part of the reason why they chose this location is because it is located in an urbanizing area as defined by the Churchill County Master Plan. All of the areas in yellow in the picture displayed have been identified as areas that are appropriate for intensification. It identifies areas where urban density and intensity of development are intended. Any zoning is acceptable including high density residential, commercial and industrial zones. They believe this is an appropriate area for a higher density and intensity development that is closer to commercial services and primary employment corridor along the highway. He noted distances to these corridors from the development. He stated that there were comments at the workshop hearing that referred to this being in the county, but the development is more urban feeling. The Master Plan identifies this area for more urban development, and this is on the very edge of the county nearest the city limits.

It was noted that several locations in the Master Plan state that “there is a need for both market-rate and affordable workforce housing”, as well as “Smaller and higher-density units and rental

options, such as apartments.” From the 2019 Housing Needs Assessment for Churchill County it states, “The Assessment projects a five-year housing need of at least 840 units, consisting of 427 owner-occupied units (mainly single-family) and 383 rental units (mostly apartments).” These statements support that these types of units are appropriate for development within the urbanizing areas. Mr. Snelgrove pointed out that with interest rates going up some people are not going to be able to afford that initial down payment that is necessary, and there may be more pressure on the rental market. He continued by mentioning some of the goals and policies in place in the Master Plan that supports higher-density single and multi-family residential development, and that these are to connect to the community sewer and water systems. There is also a policy in place to encourage infill development to provide a cost-effective provision of utilities. The community system does run through this development and would be connecting to it. The higher densities also cut down on costs for services—there are fewer roads to service the same number of people, shorter lengths of sewer or water lines to serve a higher number of people, and so on.

Dave Snelgrove went through the zoning and density allowances for the planned unit development. There is a base number that they would be allowed (428 units) with the standard open space requirement and without providing any community benefit, and there is a different maximum that could be granted based upon significant community benefits that goes beyond the open space requirement. Their first proposal was for a total of 648 units; however, based upon the comments and input they received, they made some changes and are only requesting 619 units with this design. He shared the proposed community benefits and how the numbers were calculated. Next, Mr. Snelgrove shared the different housing components, along with distances between residential structures outside of the development to those within it, which generally exceed what is required by code. There were some concept photos demonstrating the types of aesthetic they were aiming for along with amenities and landscaping.

Mr. Snelgrove also mentioned the Pine Road extension, which is part of the Truckee Carson Irrigation District (TCID) access within the Bureau of Reclamation (BOR) easement. It is the access to a few parcels on Pine Road, and they plan to ensure that is maintained and protected. He then shared that part of the community park area will include piping of the BOR structure, which currently runs above ground in a channel.

Dave Snelgrove displayed the infrastructure and parks phasing along with the segments of the development they would anticipate following. They plan to start toward the north end of the development first (apartments and townhomes) with access primarily toward Casey Road. In the phasing of the primary road development, they remained cognizant of fire accesses.

It was noted that the applicant has purchased the property where Birch Lane and Allen Road intersect. This would allow the realignment of Birch Lane to create a better ingress and egress with Allen Road. They also plan to include separate turn lanes on Allen Road and Birch Lane to help traffic to flow better.

Dave Snelgrove stated that they are seeking input regarding the development as well as thoughts on the density bonus for the benefits to be provided. He pointed out that in order to provide the community park, they do need to get the density in order to offset the costs for the infrastructure, piping of the BOR structure, and other amenities.

Chair Arciniega asked for any public comment and requested that comments be limited to three minutes each in order for everyone that would like to speak to have a chance to come forward.

Joe Magaña, 2530 Birch Lane, has questions about the intersection that is going to be connecting the north and south developments. He lives in the corner house in that area and wondered

what it was going to be like in that area (sidewalk, dirt, or some other item). He also expressed concerns about traffic down Birch Lane for the community park area and what efforts were going to be made to slow traffic in that area (speed limit, speed bumps, etc.). He informed that people tend to race up and down the road right now. Chair Arciniega verified that he was speaking of the intersection of Birch Lane and Old Stone Parkway.

Dale White, 2607 Elizabeth Parkway, made a comment about the short amount of time that people are being given to speak. He also thanked those on the commission for their willingness to serve, and shared that he did it about 28 years ago and only lasted one term because it was a hard thing to do. He explained that his issue isn't really with the applicant, and it is with the county in general and the fact that this whole thing has been pushed through from the time that the ordinance was passed and then the zoning changed, etc. There has been a lack of public comment throughout this process. He was curious to see from the audience how many people were in favor of this planned unit development that are not employees of the company—there were a couple of hands that went up. He then asked about the number that were opposed and several hands were raised. He continued by saying that there is a general rule of customer service that for every good comment you get they might tell three or four others, and for every negative comment they are probably telling ten or twenty others. He guesses that this is a representative sample of our community. We seem like we are consistently ignoring the input from the community in this process. Whether it is the Planning Commission or the Board of County Commissioners, they keep making these decisions even though there is a lot of negative feedback. He doesn't understand why. He also has issues with the Master Plan and the fact that we are allowing this in the first place. He is vehemently opposed to multi-family dwelling units in the county. He is opposed to the county being in the municipal business. He doesn't think that they should have done the water or sewer system. He thinks that we are going to end up with city one and city two, and sooner or later they will incorporate, and they will have another one here. The county has no business being a municipal entity. He feels that it would be better to have this be a single-family subdivision, and he is opposed to the apartments and the multi-family dwelling units. The county needs to do a real serious look at infrastructure before they look at any housing. They don't want to become another bedroom community for the USA Parkway, like Fernley, or a trailerville, like Silver Springs. They want to stay in the kind of county that we have now with a lot of rural influence. He is a big proponent of the Navy, and he knows there is a housing shortage, and we need some low income housing, but he thinks it belongs in the city limits, and we need to push for it there.

Jim Souba, 2176 Silver Circle, said that this development is a good example of a really bad idea for a variety of reasons. First of all, the people in the neighborhood are not opposed to growth and development. They are opposed to two and three-story apartments in the backyards of existing mature neighborhoods that is zoned E-1. These 107 acres right now with the current zoning could support 420 family dwelling units. He believes that there would be problems with that. We welcome the growth, but Birch Lane is a very inadequate road with no curb, no gutter, no sidewalk, and Casey Road is every bit as bad. Then when you put all of these dwellings in there, even what is authorized by current zoning, and you will have huge problems. You're going to have kids getting run over or run off the road. It is a mess. You are not ready for the way that it is zoned currently, much less adding 191 additional units. They want to put in 191 above the current authorized zoning. That's crazy. A residential parcel that you can build on is worth about \$40,000, and that equates to about \$7 million that they are asking you to put in their pocket by approving this PUD. Where is that \$7 million going? That isn't doing us any good. The most egregious part of it all is that this will fundamentally change the character of their neighborhood. Right now, it is a mature, existing neighborhood with very little

change. This is infill growth that you are talking about. Why are you creating friction zones by your own code with infill growth? You don't create friction zones with infill, that's crazy. If you need to build this high density housing, start with a green field, put in your apartments, and then fill in around it. Build your whole city if you want to, but you don't do this in the middle of an existing mature neighborhood and ruin and change the character of the neighborhood. Right now, their neighborhood enjoys a very high percentage of owner-occupied dwelling units. If you put in apartments in the backyard of our single-family homes, and you change the character of the neighborhood forever. It would no longer be owner-occupied and would be more of a rental community. What you are talking about is just stupid upon stupid. There is no reason not to build the 428 as it is zoned, but to approve this zone change, which is all that a PUD is—a code name for allowing an increase in density without doing a formal zone change. This is just crazy. He asked them not to do it. Adding the additional 191 units is just absolutely nuts and makes no sense. They are not doing this, putting two and three-story apartments next to single-family homes, anywhere in the country. He urged them to use some common sense. Your own code says that this new development growth has to be compatible and consistent with existing homes. Nobody in their right mind can tell him that putting a two and three-story apartment in the backyard that has been E-1 forever doesn't damage that property. It damages it, and you know that it does. Common sense tells you that putting a three-story apartment adjacent to a single-family residence lowers the value of that home and makes it a rental property.

Don Averill, 1420 Dixie Drive, stated that his house is on the other side of the canal where you are putting all of those houses right up against the back of his property. Dave Snelgrove agreed that it is on the other side of the canal. Mr. Averill informed that the canal isn't very wide. He wanted to talk about infrastructure. By a rough calculation that he worked out is about 8 million gallons per month that they have to come up with both water and sewer for effluent. You've got about 500 kw hours per month of load on that, and he wonders where they are going to get this from. He asked Mr. Snelgrove where he is getting this from. Our county water system is just barely large enough to take care of the little over 400 units. Dave Snelgrove responded that he is taking notes, and Chair Arciniega asked that all comments be to the commission, and they will address these later. He noted that all of the questions will not be answered right away. He wants to know about the impact to all of the residents around there for putting the additional load on the electrical system, and the water and sewer system. He wants that in writing.

Brett Huntzinger, 1500 Pine Road, is on the other side of where the new road would come down to cross Birch Lane. He asked how things are going to be working out with the canal. He said that from what he saw it would give more people access to the canals. Will that create more pollution? You are covering up the stuff to the south of Birch Lane, but to the north of Birch Lane that is being left open where it goes through the southern part of the north unit, near the apartments. He stated not that long ago, when the development company was going to put in more dense stuff and were told by the commission that it was too dense, which is more like what the people are talking about. The county plan of building things up and getting things more condensed and less cost per unit as for services, but it changes what is going on here in town. It changes the feel of the town. He thinks that things could be kept more open the way that things are around the rest of town—in the community where people feel more equal. He brought up that people are talking about the lowering of property values being next to apartment complexes and stuff, it would be very difficult, and things would change a lot. Things grow, and they may need to give up sidewalks and that kind of stuff. He asked to try to keep it more balanced, not just one shot here with all of this stuff going up.

Taylor Howell, 2675 Casey Road, expressed that one of her concerns is the traffic. Bringing

in 619 homes, and if you average 2 vehicles per house, that is over 1200 vehicles coming in and out of Casey Road mostly for the main access to the subdivision. There are already multiple wrecks and a dangerous intersection pulling into Walmart nearby. Are there going to be any public improvements to the road, are there going to be sidewalks, will there be widening of the road? There have been many near-miss accidents pulling in and out of Walmart, and the turn in from Highway 50 to Casey Road. Her next issue is with the townhouse locations, which back up to their property line. They actually just constructed a shop at the back of their property, so 100' to their dwelling is now not going to be sufficient because they have an approved shop that was put in. She noted that the walking trail will walk past where her horses are kept. She asked if there will be any perimeter type fencing, or any barricades put up to protect others' property. They are on a one-acre lot next to this very nice subdivision. Along with the perimeter walls would be that it is constructed so that it isn't see-through. Regarding the mentioned utility improvements, she didn't hear anything about any stormwater tie-ins where the stormwater is going to be moving to. If the subdivision capacity of the storm drain can take on what is existing right now and will there be any other additional improvements? There was mention of a force main for the sewer that goes along the Stone Ridge subdivision, and usually a force main comes with a sewer lift station. Is there going to be a sewer lift station somewhere along there? That would also decrease home value because no one wants to live next to a sewer lift station. Along with the apartments, she is very pro-development of the single-family homes in the area, which gives a great sense of community. She spends a lot of time in this neighborhood running, and she enjoys the community, but if we go through with the apartments, there will be a lot more people out walking, and there is no public improvements from that area to the Walmart, to the shopping centers, and back to that area. There are no sidewalks through there. Arby's is the end of the sidewalk, and it is a very narrow, dangerous area for people to be walking through there. Dave Snelgrove asked for clarification that it is at the north end closer to Casey Road, and Ms. Howell concurred.

Nancy Parker, 1350 Cedar Drive, has a few issues with this development. First is the high density thing. If it was just single-family homes, she doesn't think that most of them would have such a high objection. She is worried about the water. They are all on wells, and she has a feeling that when they start up that pump on the new well that they put in on Casey Road, that theirs are just going to be drained out. Then if that happens, will they annex them and have them tie into city water at their expense. She knows that when that happened on Maine Street that cost people a lot of money to tie into the sewer and water. Another thing is the traffic. She's real concerned that Pine and Cedar are going to become the new driveways for Walmart because it is a straight shot and is only a block away. She thinks that Pine gets more of it than Cedar, but with kids riding bikes and no sidewalks and all that it will be a hazard with that many cars from the south development coming through there to Walmart. They already can't get out on Montview onto Allen Road because it is the turn lane left and right on Allen to go to Walmart. They don't go all of the way to Williams. They turn on Montview to go to Walmart, and she can see that getting worse.

Trevor Hammond, 1704 Allen Road, noted that the parcel numbers 008-831-02 or 008-831-19 on the submission were not listed on the agenda, and he said that these may have changed recently. He remarked that he didn't get a notification letter and his property is nearest to those two parcels. He wondered if the parcels changed and are no longer valid, but possibly they weren't informed because they weren't put on the application. Dave Snelgrove agreed that those two parcel numbers changed, and that was pointed out by Dean Patterson as now being 008-831-85 and 008-831-86. Dean Patterson mentioned that this was done by the Assessor's Office. Trevor Hammond then inquired if that is how the letters were sent out is based on the distance from those parcels because they didn't

receive a letter this time. He wanted to point out that may have been the reason why there was an issue with the notifications. Diane Moyle, Administrative Assistant, said that the letters are required to be sent out 300' from the property boundaries, and she used all of the parcel numbers that were put on the application. There was a letter sent to Thayne Hammond, but apparently the 300' didn't reach Trevor's. Mr. Hammond pointed out that his is right there near the boundary. He also thinks that some of Christie Circle is missing, too. [After the meeting it was discovered that the notification boundaries were set using the parcel numbers as they were first submitted, using the old parcel numbers, and were not amended after they were changed when informed by Dean Patterson to the applicant. Although the procedures were followed to include all landowners, some were not notified due to the change in parcel numbers after the first application submittal.] Trevor Hammond asked to display one of the slides showing the parcels just north of his property. He noted that where parcel 008-831-19 was there was a very skinny little pie shape, and that is where his delivery ditch runs down. It looks like the two houses right on the very southeast corner are sitting on that area. When he zooms in on that map, the delivery ditch actually goes into the corner of that proposed house. It is an odd thing that he brought up a couple of meetings ago before Mr. Snelgrove was involved. His delivery ditch is on that property, and so he is willing to talk over whatever needs to be done to change or move something. This may be more of a TCID/BOR question. Lastly, at the tie in at Birch and Allen, he sees that there is some proposed striping, and he wonders if that is only in that area where the turning lanes are, or if we could talk about going all of the way to the city tie in with the striping. He suggested that they double stripe down Birch, too.

Lori Souba, 2176 Silver Circle—just off Birch, said that they live in a great big, huge county, 5000 square miles, and everyone here knows that the only reason this is being done to their neighborhood is because they have water and sewer hookups there, which will save them money, and make money for the county. Otherwise, this could be built anywhere, but instead it is being dropped in the middle of their E-1 neighborhood, and it is going to ruin the character of their neighborhood. There is no doubt about that. This traffic study that was provided at the end of the plan that was done in April 2021 says that on Birch Lane they are going to have 3,333 more cars per day. She would ask each one of you planners that if you haven't been down Birch Lane, to go and look at it, and imagine 3,333 more cars per day on that tiny road. It is going to be dangerous. They live on Silver Circle, and it is going to be gridlock to Allen in the mornings and in the evenings. Cars are going to peeling off of Birch Lane and zooming around Silver Circle to get to Allen Road on the other side. Their road is going to be very dangerous. They had a kid just the other day on a motorcycle go ripping through and ended up spinning out in a neighbor's stone driveway. That is what is going to be happening when there are 3,333 people trying to get out Birch Lane at the same time. In the mornings and evenings when the kids are out standing for the school bus, it is going to be so dangerous. Something has got to be done about that right there. The other thing is in your own regulations, and this is for rezoning, but she assumes that they are using the PUD to get around the rezoning, says that the land use will not have a detrimental impact to other properties in the vicinity. She thinks that you can see, as well as the people that live around her can see, that this is going to be detrimental to all of them. The traffic is going to be dangerous, the increase in crime—they have no crime in their neighborhood and have lived there for 20 years and never had a single instance of anything being stolen, and they don't even lock their doors—and now with over 600 units and all of those people—kids that will be walking from the neighborhood to Walmart along their canal, which is elevated, and they will be looking down into their back yards. Things are going to start to disappear, there is going to be all kinds of problems with kids smoking, and the crime is going to be ridiculous. This doesn't belong in their neighborhood

just because they were unlucky enough to have the sewer and water system extend into their neighborhood. It was a bad idea to put it in, and now they are going to pay the price for this because they live in an E-1 neighborhood, and they want to keep it that way. If a builder wants to come in and build an E-1 subdivision, they will welcome their new neighbors. She vehemently said that they will not welcome 648 new families into their tiny little neighborhood. She is convinced that they will all suffer if this goes through, and if these problems are not solved. It is just not right with the size of the county that we live in that we are doing this to our rural neighborhoods. She knows that they are just going to be the first.

Raena Blais, Silver Circle, said that before she lived on Silver Circle she lived on the corner of Dallas and Lattin, and before she lived at that location, she lived on Lattin Road. She's lived in this neighborhood for about 14 years now. She said that they have raised kids, ridden bicycles, walked and explored, and she can tell you that it is too dangerous to ride bicycles on Casey Road as it is right now. It is almost too dangerous to ride on Allen Road. There are no sidewalks on any of those areas. Traffic is rough. She went to pick up a pizza during the week at 5:00 p.m., and she sat at Birch Lane, which is the road that she uses since she lives near there, waiting to pull onto Allen Road and car, after car, after car, etc. were going home from work. Around the time the kids go to and get off school—they raised three daughters and all of them drove—she can't stress to you enough that the area that they all live in cannot sustain this kind of traffic that is going to be there. All of them are of the same mind that they know that we need housing, but build it in appropriate areas. If you want to build one-acre homes for the lots that they are on, which is adjacent to all of the areas, then go for it and do it because we need housing, but the bonus density, the apartments, etc. is just not sustainable in the area. It is going to bring their quality of life down. Inevitably, it is going to hurt the property value of their homes. You buy a home to invest in yourself, and you vote to have people protect you. That is what you guys are here for. You are here to protect them against developers that come in and want to overdevelop because these people don't live here. This is not the first time that this property has changed hands. This is not the first time that this proposal has come before this council. The proposals to build in this land has come before you guys before just with different faces, and it was turned down because it is not sustainable in the area that they want to put it. It changes hands because people see the property with dollar signs in their eyes, and they see it as an opportunity to make so much money, and then it sits, and no one builds on it because they shouldn't because someone has protected them. She implored the commissioners that when they are making their decisions to protect them against the overbuilding in their neighborhoods, the inevitable over trafficking, safety issues, crime, and everything that everyone has brought up here today are valid concerns, and they are true. She said to please protect them.

Nancy Hogard, 1495 Pine Road, said that the long side of her property is on Birch Lane, and she did not receive a letter. [See note above regarding the change in parcel numbers that was not caught prior to sending the landowner notification letters.] She knows that she doesn't have a lot of time, so everything that she has said before in all of the times that she has been at these meetings still stand. She doesn't have time to go into the statistics on the impact of traffic, access, road maintenance, landscaping and maintenance, crime, light pollution, home values, etc. She hopes that the deer can read the signage for that teeny tiny wildlife corridor, and the skunks are going to go wherever they want. Like the first gentleman that spoke, these people are here to do the development and to make money. Like the first gentleman said that her problem isn't with them. She always thought that the county, the elected officials from the county, and thus the employees that work for the county, are here to represent the residents of the community. When she sees established residents and people,

who have been in the community a long time, and they hear what is happening there, they say, “Why?”, “Why here”, and “Why in the county”. It is a hard question to answer. Yeah, she heard that everything that is not agriculture is going to be developed, high-density and spot development. That is what the last person was talking about. They need to be protected. The second thing that she wanted to mention was the Coleman development that was approved recently, and this Birch development were both lands that were purchased by the county and subsequently sold to selected developers. She always thought it was a little bit weird, but some of these established county residents...Vice Chair Yates interjected to correct what she said about the county buying these properties was not true. The Birch properties were not owned by the county. Nancy Hogard stated that according to the website the Birch Lane is shown as owned by Churchill County Treasurer Trustee, and Director Spross noted that usually means that this is a tax deed for unpaid taxes. Nancy Hogard then inquired if this is how the county gets it and then the county sells it. It was shared that the owners generally come in to pay the taxes prior to a tax sale. Nancy Hogard explained that she was going off of the county’s website. She said that her last comment is that on more than one occasion she has heard members of the planning board and commissioners that this neighborhood is being sacrificed. Again, why? When they are supposed to be represented by the county, and they are not; they are being sacrificed.

Amy Young, on the corner of Birch Lane and Dixie, and thanked the presenter for making a change based upon her comment last time. She still has concerns regarding the traffic, which is her main concern down Birch because anybody, who lives in the area that is going to be working at the base, will be going down Birch to Allen to Sheckler, and then vice versa on the way home. A couple others are about the light and noise pollution. The field across has a lot of old trees on it, and she is hoping that as many as can be saved so that the birds nesting in those trees could stay there. Also, the ditch that goes through that part where the park is, sounded like it was going to be put underground. She wondered how that would affect the wildlife that uses that. The last thing that the aesthetics of any buildings that are going to be built there will be taken into consideration, and that they won’t just be big, bland stucco boxes.

Steve Blais, Silver Circle, wanted to make a statement for the commissioners to consider, he knows that they are getting plenty of information from all of them, he doesn’t envy them, and he expressed appreciation for their work, but he also hopes that they are listening to them. Sitting here with the commissioners this evening, he has watched them deliberate over one person living on a plot of land (the first guy that came up) and that was a big deal for one guy. We are talking about 619 homes with who knows how many people to be in each home. It is a big decision, so he knows that they are not going to do this lightly. This is happening time and time again, and it is not ending. As homeowners it is a bummer because they have to ban together through Facebook to find out when these meetings are going to happen, so that they can say the same thing over and over to you guys—infrastructure, sidewalks, etc. Mr. Snelgrove makes notes and adjustments are made, and he has been very accommodating, and they don’t disparage him in the slightest because the job is to make money. Your guys’ job is to listen to them and, hopefully, represent us, so please do that.

Raena Blais, 2210 Silver Circle, wanted to say one more thing. She noted that they also did not receive a letter for the record. They received a letter for the first changes, and so she was really interested as to why they didn’t receive a letter for these changes, for the new proposal.

Chair Arciniega asked for further comments, and there were no more. He acknowledged the passionate remarks, and there were other comments yelled from the audience. Then, he turned the discussion over to the commissioners.

Dave Snelgrove stated that he was taking copious notes of the concerns. He knows there were

a lot of issues regarding traffic, sidewalks, and pedestrian safety, and he stated that Paul Solaegui might be better to speak to the traffic questions. While he is talking, Dave said that he will go through his list to try to organize the thoughts and comments.

Paul Solaegui, Traffic Engineer, was asked to do a traffic study in the spring of 2021. He first sought input from the Nevada Department of Transportation (NDOT) anticipating that a lot of the traffic would be going out to Highway 50, and he received a detailed scope with concerns about the Highway 50 and Casey Road intersection and the Highway 50 and Allen Road intersection. He also got input from Churchill County Public Works staff, and that's when the Allen Road and Birch Lane intersection was added, so those three intersections received the primary analysis. They went out to count the traffic, and they understood the peak hour operations that existed at that time. Since the initial study the use has changed slightly, so Paul issued an addendum letter this spring. The current map generates slightly less traffic than the 2021 map that he studied in depth. The findings, however, were that the Highway 50 intersections operate at a good level of service C, and with the addition of the project traffic, they will continue to operate at level of service C because they are big, signalized intersections with turn lanes. In the Traffic Engineering world those intersections are operating quite well, and Level D is NDOT's policy level of service.

Mr. Solaegui then remarked that when they looked at the Birch and Allen intersection, they do anticipate, as one of the people mentioned, the folks going to the Navy base will go down Birch to Allen to Sheckler to the base. They did have a volume of traffic going south on Allen, and so they gave specific recommendations as noted in the study. The benefit of this would add a southbound right turn lane that separates traffic arriving from the north, and he recommended they add an exclusive northbound left turn lane into the site and separating those left and right turn movements. This will make the intersection safer, will reduce the delay in the queuing. This was the primary recommendation of the study. There is a significant number of units and a significant traffic generation, but his findings were that the intersections, especially the signalized intersections, have capacity available to serve this. With these improvements at Birch and Allen, in his opinion, that intersection can be made safe and sufficient capacity can be provided. In a traffic study like this, they look primarily at the major traffic movements, and those would be drawn to those signals or to the south on Allen Road. A final thought regarding what he had heard in earlier phone calls with the county related to the cut through traffic going through this neighborhood up into the area behind Walmart, and he acknowledged that there could be some traffic and would be statistically a very small number. Those cut through people could be the ones that don't have regard for the other neighborhood. That kind of traffic is problematic, but this was not an issue that they were instructed to do any detailed analysis of that. Overall, he believes the traffic report is a fair and objective observation. It shows available capacity, and they offer mitigations that will enhance this one heavily impacted intersection.

Chair Arciniega asked the audience to allow people to speak without interruption. There were more comments yelled from the audience. Dean Patterson asked Mr. Solaegui to bring the microphone closer to him, and then he asked about the Old Stone Parkway intersection at Casey and whether his study looked at that in any detail. Paul Solaegui reported that he did not do a detailed analysis of that intersection in the studies that he has completed thus far.

Chair Arciniega asked Dave Snelgrove if he was able to organize his notes to address some of the concerns and issues mentioned. Mr. Snelgrove stated that there were a lot of comments regarding the traffic and pedestrian improvements noting that in the area there are not sidewalks. He pointed out that within this subdivision there will be sidewalks as there is in Sand Creek Phase I,

which is just to the west of this development. One of the highlights is that along Old Stone Parkway will have a wider sidewalk on the eastern side that would be closer to the apartments, and that will continue down. There was a question about the intersection at Birch Lane and Old Stone Parkway by the existing sewer lift station for the force main, and that is a tighter area. They may have to go down to a sidewalk on one side to make sure to get pedestrian and vehicular access through there.

Mr. Snelgrove noted that after the first workshop there have been discussions regarding pedestrian access and connectivity on Casey Road going toward Walmart. The right of way is pretty wide through most of it; however, there is one property that juts out and the roadway gets narrowed. They will have to figure a way to work with that. This is something that will go into the final design. They do know that putting the more intensive development (a previous idea had the apartments down where the community park is on this one) would encourage the traffic at the north end of the development to use the road nearest the commercial corridor, which is Casey Road in this instance. Dave Snelgrove pointed to the many comments saying that the developer is creating friction zones, and he explained that the friction zones are part of the county's code relative to what you do when you have differing land uses—in this instance it would be multi-family adjacent to single-family. Those are the things that he pointed out on the maps as he went through the proposed development to help everyone understand that they are meeting the rules that are put forth in the County Code, as well as the directions in terms of the urbanizing zones and the identification of higher intensity housing and residential that are coming out of the Master Plan. They are trying to work within the rules and guiding documents. There was a lot of people talking about changes in the neighborhood and high density. This goes back into the urbanizing zone. He understands the fears caused by changes, but at the same time, although this development isn't bordering the city limits, it is very close. The Master Plan has designated this area as an urbanizing area and what they are proposing would be appropriate in an urban area. They also feel that the community park along with all of the other things, including pedestrian access and amenities—walking trails and sidewalks, will address better pedestrian safety in this subdivision than exists in many of the other existing subdivisions. Traffic and pedestrian access along Birch is an area where they can work with staff about the edge improvements. He could see that on the community park side that there either is a sidewalk or a trail system that runs parallel. They may not be able to fix everything, but they are showing off-site improvement to the intersection at Allen and Birch to alleviate some of the potential issues that would be affected by this development.

Dave Snelgrove brought up one comment about a lift station, and he shared that there is already a lift station located at the intersection of Birch Lane and where Old Stone Parkway would come through. He noted that the area south of Birch Lane does drop a little bit, and they may need to put in a facility in the southern portion of the development. That will be worked out with the final plans. In discussions with Chris Spross and Dean Patterson they mentioned that the next step of this ends up becoming a very costly endeavor in terms of doing all of the grading, utility design, etc. He expressed appreciation for Trevor Hammond's comment on that real slender piece of property, which they were curious about, and that can definitely be handled in terms of an easement, and they can accommodate it. As long as they know that it is there, they will complete this in the final design. He reminded everyone that this is a conceptual design, and all of this information they can work into a final design. There were questions about the water and sewer and electricity. Mr. Snelgrove informed that there are allotments for the sewer and water system on this property in association with both the Sand Creek and Willow Park previously approved projects, those projects have since expired. That amount gets to about 380 units worth of development. They do realize and recognize that this doesn't

get all the way to the 619 units; however, this is not a project that is going to build out in the next year or two; it may be about four to seven or ten year timeframe before the overall development is completed. There would be improvements that go on in the water and sewer system, and they would probably have to bear the costs for quite a bit of it, or a proportionate share. This won't be happening overnight, so where the current capacity is not there, it is going to be in a few years. On the electric side—Dave Snelgrove stated that he worked for NV Energy—he knows that they do not go out and pre-build power supplies and sources to get out to development. The development ends up paying for those to come in, so that is how the energy system will be addressed. Right now, there is no demand on the property; there will be demand in the future, and that is when upgrades will be done. These costs will be borne by the developer. He expressed appreciation for the comments that were made.

Member Bunyard understands that a traffic study was done on Allen and Birch, and he was curious why, after they changed the location of the higher density, did they not complete a traffic study at the Casey and Old Stone Parkway intersection. Paul Solaegui reported that when they were hired to conduct the traffic study for the initial map in the spring of 2021, they did the detailed scoping with the agencies, established what was going to be studied, and then they completed the study. When the site plan changed, there was considerably less traffic on the new plan because of the new mix for the development. The traffic volume was down, and because there was so much excess capacity in the intersections, they felt that it was safe to say that the traffic impacts were less. The previous study should have been a conservative estimate. Things are still evolving. Member Bunyard understands that regarding the Birch and Allen intersection. He then pointed out that knowing there was another access point in and out on Casey, why there wasn't another traffic study completed on that highway. Paul Solaegui noted that he sought the impact, and NDOT wanted the Highway 50 intersections reviewed, and as he spoke with county staff, maybe they had the most concerns about the Allen and Birch, so at that time the Casey Road intersection was not identified as a key intersection. He sought his input from agency staff. Member Bunyard noted that as he reviewed this plan it looks like there was going to be a well for the park and all of that, or would that park tie into the existing county water system. Dave Snelgrove responded that they will look for any creative water efficient solutions that they can. There have been some discussion about different water sources that may not be off of the county potable source. Those are things that would need to be worked out with the final plans. Anytime you get a large grass area, unless you go to AstroTurf, you've got more water that will go onto those areas. Water is very scarce in our area, and they need to plan it appropriately. Member Bunyard then asked regarding the current water system, which he has heard that it is costly for the current users, and now that they are going to fully utilize that water, if that would drop the price of the water used in this development. Mr. Snelgrove couldn't answer that question.

Chair Arciniega remarked that on the north end of project, there is approximately 515 residences that would exit onto Casey Road. He noted that he was out there that day and the turn lane going west onto Highway 50 was about six cars deep around 3:30 p.m. Additionally, there's the traffic that comes out of Walmart, Arby's, Dotty's, etc. on that little road coming onto Casey Road. If those people want to turn left onto Highway 50, the extra traffic will make turning at that intersection difficult. He then stated regarding the property Mr. Snelgrove spoke about that juts out toward Casey Road is something that should be looked into. He doesn't know if that would be something that the state would get involved with, but that intersection could be a bottleneck in that area. Then on the Birch and Allen intersection, it is two lanes right now, and they're talking about an additional lane going north and south. Where is that pavement going to come from? Dave Snelgrove asked to have the slide displayed with the recommendation for that intersection. He remarked that the red dashed

lines on either side of the road is the existing right of way of that road, so you can see that the added pavement and turn lane stays within the existing right of way. Chair Arciniega verified that it wouldn't encroach onto private property. Mr. Snelgrove concurred that it would not. He further informed that the McCreary's have purchased the property where Birch Lane comes in, so they have control of that. Chair Arciniega then mentioned one of the comments regarding the redundant well and the concern that once it is in use it would dry up their wells. Director Chris Spross stated that the redundant well has been put in place as a requirement by Nevada Division of Environmental Protection (NDEP). It is a well that is there to backup the system. They only have one well right now, and if that well ever runs dry, there is only ten days of storage in that tank. Those wells are not going to be running at the same time. They are not going to be drawing more water out. It is a redundant well for that system to protect the system, so that we have a backup. That well is drilled to just a little under 400', which is the intermediate aquifer that is in that area. It is deeper than most of the wells that are drilled in that area for the homes.

Member Diehl commented regarding the open space and the statement by Mr. Snelgrove that they are considering the stormwater ponds near the park for more open space. Dave Snelgrove replied that you can either create a detention area that looks just like a detention area, or you can create a detention area that will hold water that will be dry most of the time, but when you need a place for water to collect it can go to an area that has some landscaping and planting and incorporate that into something that is much less visibly unappealing. He showed on a slide where there is an existing detention pond, and with the development of that area, it would displace that stormwater collection area. They propose to move it over. They aren't inviting people to go into that area, but they thought about creating a walking trail that goes around it and making it more aesthetically pleasing. He noted that discussions with county staff indicated that these would not typically count as open space; however, if they could be made aesthetically pleasing as well as functional, it could be considered. Member Diehl expressed a concern that families are going to be living around these areas, and wondered if there would be a way to provide protection to keep the children out of those areas. Dave Snelgrove agreed that they could put up some fencing without it looking like an industrial type thing. Member Diehl wanted to make sure that there are safety measures to be taken to protect the families. Mr. Snelgrove commented that if they could keep these shallow enough, you may not have as much of a concern. He remarked that those are good comments that they can adapt into what they plan to be doing. Dean Patterson explained that the intent would be to make it look more like Liberty Pond, which is a park, and is aesthetically pleasing and has some water, but it may not have water all of the time. Member Diehl interjected that she is just concerned about the protection for the children. Dean Patterson concurred that staff would be watching to make sure that it looks more like a park and less like a detention pond. Member Diehl remarked that it would have water, and kids are attracted to water and mud. She wants to make sure that there are protections for the little ones.

Vice Chair Yates stated that as someone that lives in this general area the traffic really concerns him. Especially, if you are putting an entrance/exit to a very large apartment complex right on to Casey Road. His main access from his house to Walmart is Casey Road. The traffic on Casey Road is already out of control, and to add more cars he doesn't know how they are going to get in and out during a busy period before and after work. He also feels like the traffic study is a little short-sighted here because these intersections are all well and good, but his route to work takes him to Sheckler and Allen intersection, which if you have 500 more cars at that intersection at 7:00 a.m., it will be a disaster. It already is bad because all of the Fernley traffic uses the Sheckler Cut-Off to get out to the base. He thinks that we are ignoring some of the other areas that could be problematic.

Allen Road, as has been made clear, is a disaster already, and he understands that they will provide a turn lane, but it doesn't fix the rest of Allen Road. With the increased traffic coming out of the apartment complexes, that will be an issue. He continued by saying that water is a semi-finite resource in this valley. He appreciates what was said about not going from what we have now to that many more additional people very quickly, but what happens when we get halfway through this and then we discover there is not enough water. We are talking 619 more dwellings, and one of the gentlemen mentioned 8 million gallons for these. The water issue worries him, as well as the overall density. That is a lot of people in a very small area. He lives in an area adjacent to this development and walks down Eagle Road every morning at 5:00 a.m. and it's pretty quiet then, but later it gets pretty busy. He really worries about the density. He knows that they have throttled it back once, but he does agree with some of the folks that putting apartments right there makes him nervous.

Chair Arciniega said that he is a big fan of our fire department, who are all volunteers, but he wonders about their capacity and going forward as we continue to have growth into our town. He doesn't know if they have identified anybody to talk to there or if he has done any studies. This is something that he hasn't heard anything covered, and he'd like to know. Dave Snelgrove remarked that is something that they could definitely look into. They took a look at the service requirements and thresholds in the Master Plan. They did reach out to the school district, and they know the school capacities are always an issue, and they will also look at the fire department. He reiterated that they are still at the conceptual phase, so that the comments that are issued here are greatly appreciated. They give them things that they know that they need to look at.

Member Getto mentioned that the main concern he has is also regarding the traffic, and tying into what Trevor Hammond touched on about striping of Allen Road. He would also take it one step further and include Casey Road in striping as well. Is that going to be the county's responsibility or the developers? He would also consider altering speed limits to mitigate a lot of issues. He also thought Joe Morgaña had a really good idea, especially right around the community park right on Birch Lane to include speed bumps and lowering the speed limit to actual park settings, like 10-15 miles per hour. That may be a county issue, but he wanted to have them in the record. Dave Snelgrove stated that tying back to the comment about the fire department, he knows that oftentimes when you deal with speed bumps and speed tables or any of those things, it can become a concern for the fire services. That will be something to talk to them about, too.

Member Picotte pointed to 2510 Birch Lane regarding a structure there. He inquired if that is going to be their transition over the New River extension from the north to south. He wondered if that property has already been acquired, or is that part of the purchase that was made for the development. Dave Snelgrove noted that it is a property that the county owns where the lift station is located. Member Picotte is sure that the engineers have already done their due diligence with that pond. He doesn't see how they will be able to put seven more houses on the end of that cul-de-sac with the pond and the Old Stone Parkway with the other drainage ponds up against the rear of the houses. Mr. Snelgrove again noted that this is a conceptual design, and if they find that they need more room, they have the flexibility within the plan to accommodate that in the final plan. Member Picotte then mentioned that just east of that is the New River Extension that continues parallel on Birch Lane where the fields would be. He thinks there was a public comment about this being piped underground, and he asked if that is feasible to do with this project. Dave Snelgrove answered that it definitely adds cost and over those pipes you can put landscaping and other things. They had initially wanted that to be open in the last plan, and they thought they could enhance it with a couple of bridge crossings. They were told by Truckee Carson Irrigation District (TCID) that they would pipe it. They were

concerned about having child safety, which goes back to a comment that Member Diehl made relative to detention basins, and their concerns were similar.

Dean Patterson remarked that this is the opportunity for the commissioners to give the applicant feedback on whether they are going in the right direction or not. The next application will be submitted based upon what is said here today.

Member Picotte questioned if they would continue the project if they only approved single-family housing. Mr. Snelgrove replied that would be an answer for his clients to provide. He knows that the added improvements, such as the park, would be gutted almost entirely. If they have to go back to the 428 units, then they will have to give all the park improvements up because there would be no way to pay for it. They need to have the extra density in order to bring some of the community benefits, so that is part of the balance that they are working with here. Vice Chair Yates spoke up to say that they do have baseball fields and soccer fields less than a mile away from where you are proposing a park. Dave Snelgrove appreciates the comments, and then he inquired to know what direction they should be moving for their application. He mentioned that one commission member asked about what they would do if they were only approved to do single-family housing and if they didn't have the added density. They have asked for a density bonus with this project going from the base density of 428 units up to 619 units, which is 191 additional units. They feel that the community park is a very substantial public improvement. He noted that Commissioner Yates made the comment that there are other parks around this area. They would like some reasonable direction to know that they are going the right way because when they come back with an application for 600-607 units he wonders if they are even in the ballpark of the number that the commissioners are comfortable with. Dean Patterson brought up that this is a really important point to talk about because it affects some of the basic design aspects of the project, so one of the things that the Planning Commission is going to need to do is to give feedback about the density bonus and whether that is something that they should proceed with. The density bonus would have to be approved along with the PUD application when it is reviewed, as well as the tradeoff the community gets for that bonus.

Member Bunyard remarked that it has been brought up by the community whether this PUD is in an acceptable location. He understood from discussions that the project would probably be dead if it stays all single-family. In his opinion the community park serves that area, and it adds to their project. He likes the location where it has been proposed. He wondered if there were any other things that they had considered as benefits to the community. Dave Snelgrove replied that they had considered this. Staff was not willing to take the whole 17 acres as a community benefit. But talking with Parks and Recreation and others on staff, the ten-acre area including the flat field, parking, restroom facilities, and so on would be community benefit. They were told that it probably wouldn't be used for games, but it could be used for practices. That has a much farther reach than just this PUD. Others around this neighborhood and people within the overall community would also be able to use it, which is why they considered this as a community benefit aspect of this project. He again asked regarding the density because a lot of things need to be done in the next phases, and the question about the project being dead if they had to go back to single-family, which it would not. It may just become single-family, but a lot of the bells and whistles would probably go away. Vice Chair Yates asked what "bells and whistles" would include, and Mr. Snelgrove noted that they have a widened trail and pedestrian path system that goes down Old Stone Ranch Parkway; the grass and natural area in the southern portion of the project; and the community park, which are aspects that have a reach beyond just this project. They would be open and available, not only for this community, but for everywhere. There are sidewalks in the adjacent Sand Creek Phase I, but other areas don't have those

walkways. Dave Snelgrove heard a lot of comments about pedestrian access and safety. What they are proposing would have that built in. They are trying to design a community here that actually has very nice, attractive features with walkways and paths, and then the community park. Dean Patterson stated that the community benefit comes into play for the density bonus by going above and beyond the basic PUD requirements. They are offering more open space with the park. The basic PUD requirement is 20% open space, but that doesn't have to be publicly accessible. Another point to note is that some of the other open spaces of that 20% will also be accessible by the public.

Member Diehl asked for clarification about the amount of open space that is required from the beginning, and Dean Patterson replied that it is 20% of the total acreage of the project. In this case there is 107 plus acres in the project, and it comes out to be a little over 21 acres that needs to be open space. This could be along the Parkway, grassland area, walking spaces along the streets, and within the little areas between the apartment buildings, which would be usable by the apartment people or the townhome people. Member Diehl inquired that if they went to just single-family dwellings, how much open space would they have to provide. Dean Patterson said that it isn't quite as simple as that. If you went with a straight PUD, you get the density that averages out to about 4 units per acre. What that works out to be with the open space is that some of the areas become higher density and others lower density to provide for the open space requirement. Member Diehl expressed her concern regarding that many dwellings. She also stated that she doesn't think that apartments should be in a rural area.

Member Getto said that he thinks that the developer is kind of on the right track for what he is personally looking for. When he envisions his future in Fallon, what he wants to see somewhere, even though people have commented that there are parks a mile away, is where the park is around neighborhoods, and you don't have to get in your car and drive a mile away or more. He envisions some family with the Navy coming to the town, and they get a single-family house in this project, they would also be able to walk across the street to a park. Also, if someone buys a house off of one of the other streets, they could walk to the park. If it is done right and the traffic mitigated, it could be a safe commute to the park.

Kim McCreary said they were encouraged by the county and the Navy to include the multi-family housing. They started out as a single-family home development. They went to the Navy to talk about their needs as well. The Navy supports this town, too. It is part of the community, and somewhere along the line you have to provide housing for those with the Navy. It may not be in this development, but it will be somewhere. This is where they came up with the multi-family housing idea. The Navy said that they need that type of housing, and the county backed them up on it. The county just passed an R-3 zoning district, where there could be 20 units per acre with no parks or any other amenities. This project here is beautiful compared to what there will be with the R-3 zoning. He noted that the park is about a \$3 million item, and they would be getting about 190 units. That's \$15,000 per unit to go toward this, and he doesn't know that each door on an apartment would be worth \$15,000 each. This isn't a get rich quick deal at this point. It is figuring out how to fit what the community needs. Kim McCreary admits that there will be additional traffic, but you will get that regardless of what the development looks like. At least they have a signal up at the corner of Casey Road. They could work with the county to clean up the roadway, add a sidewalk, stripe the streets, etc. to get to that intersection. The real expense is that park, and they thought that they were bringing something really nice to the community, but if the public doesn't feel that parks are a benefit, then maybe that's \$3 million they shouldn't be spending. Vice Chair Yates expressed that he doesn't think that he was implying that parks aren't a benefit. He just wanted to mention that there is a very similar

park about a mile away. Kim McCreary explained that the Parks and Recreation Director said there is a need for more parks. He further stated that the Fire Department has had someone at every meeting that they have had with county staff. Everything has been done in the open. They don't want to spend \$300,000 preparing the next phase of this project application without a direction and have things go sideways after what they have already invested. They will drop back, take a look at everything that was said, and talk to staff. He then asked if the commission doesn't want the park for the additional density. People in the audience started yelling out questions and comments all at once. Dave Snelgrove knows that this is a difficult question to pose to the commissioners, but it would be very helpful to them, in terms of how they move forward appropriately. The concerns expressed by Kim McCreary are the same that he has. He would like to bring something forward that is positive and can be done. They feel that apartments and multi-family are needed in the area, not only by the Navy, but also by others. If that is something that you feel is incompatible and if you feel that the density bonus is not supportable, it will help them to know it.

Chair Arciniega believes that we certainly are at a lack multi-family housing in the area. It is very evident all over. There are very few rentals, if any, in the community right now. He is concerned about the density of the north portion, and he feels that Casey Road is a real bottleneck. He does see that being a problem area that he doesn't think has been addressed. He thinks that 619 units is too much. He doesn't have a number in mind, and he will leave that up to the developers. He thinks that it needs to be somewhat lower, and if we didn't have a park, then so be it. Kim McCreary pointed out that a traffic study was not required at this phase, but they went ahead and did it, so that when they were asked questions, they would have some information. As far as bringing Casey Road into the traffic study, if Paul Solaegui had known that was something they wanted, he would have provided it. Kim McCreary asked what number they should aim for with this project. They can do 400+ houses without doing the park. Member Bunyard inquired if they went to the 400+ houses, that would still have to tie into the county water and sewer system, and he was told that they would. Member Diehl suggested single-family houses at 480 units. Kim McCreary said that they could use that number and have some larger lots; however, the county needs multi-family, which is why this project was proposed. Member Picotte absolutely believes that we need it, the commission knows we need it, the Navy knows we need it, and the community knows that we need the housing. He is a big proponent for growth and development. His concern is the high density right in the back yards of the residents that are currently there. Kim McCreary said that they were encouraged go in this direction. Dan McCreary confirmed that they were encouraged by the county and Navy to pursue this plan. They hear what everyone is saying and agree with their concerns. They don't really care if it goes to single-family, but there definitely won't be a park, and it would be just like every other neighborhood in Fallon. Kim McCreary went back to Member Diehl's comment that it could be a mixture of single-family and townhomes. Dan McCreary also remarked that the park would be for more than just those in this room, and there may be many people that would like to have the park. Dave Snelgrove said that in terms of going forward with any redesign and going to a 428 unit number, with only the 20% of open space with no park, there are other questions related to the density of townhomes, which are not up to the level of the apartments. He pointed out that they had placed the two-story apartments nearest the established houses because that height would be what they could build their single-family house to be, and they moved the three-story ones toward the center of the project in the northern portion. Working with small lot concepts there are different product types that could be used to meet the denser parts of the development. One of the challenges that will become more prominent as interest rates continue to go up, is that will push more people to rentals. They won't be able to afford

the down payment on a house. If we are going more towards ownership properties, that market could soften up, and the market for rentals may be what we have for a while. The Navy is saying that they need apartments, and he wonders if there is something that they could work with that could be scaled back or changed to another type of multi-family product, he would like to have everyone keep open minds about this. They will have to get in and play with it to really figure out what that product mix could be. They had 408 units in the apartments, so that could come down to a smaller number or be excluded altogether, as long as they could benefit the developer and the community, and everyone can be happy with it. Dean Patterson pointed out that because of the 20% of open space, the lots that would be there are going to have to be concentrated elsewhere. They would probably need to have the single-family areas around the perimeter where other single-family exists, and have the multi-family in the middle. Dave Snelgrove brought up one of the challenges with this development is the pre-set alignment of Old Stone Parkway, which is defined by the sewer main. They will try to be as creative as possible.

Member Picotte asked staff if the Navy is looking for properties as rentals and not single home ownership. Kim McCreary said that D R Horton went to the Navy since they are in the area. The Navy thought this would be great, but when they were told that this developer was building single-family homes, they told them that they don't need that type of product. They were only speaking about what the Navy was looking for in housing the personnel on the base. The community may need the single-family homes. The Navy indicated that they need more multi-family dwellings. This type of product suits the short term stay that the personnel is in the area for, and they need to be nice because they are coming from places that have nice housing products. Kim McCreary explained that is what they were trying to come up with because they want to have a good product that fills the need. Dean Patterson pointed out the reason that the Navy is so in need of housing is based on their statistic that 20% of their permanent staff can't find homes in Churchill County. They have to live outside of the county, so they have to drive to Fernley, Reno, or other nearby communities in order to find homes, even though they work here. Kim McCreary informed that out of all of the Naval institutions in the world, Fallon is the only one that is rated critical for housing. Several others have a need for housing, but Fallon is critical. That came from the Commanding Officer. Kim McCreary expressed appreciation for the input, and they will think about everything that was said. They hope to come up with something that is a little mellower and fits a little better. Chair Arciniega thinks that would be a good idea.

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 home business special use permit for operation of a small, firearms sales business previously granted to Michael Christopherson for property located at 445 Hunter Park Way, Assessor's Parcel Number 008-313-18, in the E-1 zoning district. The applicant is moving the business to a commercial location since it has become very successful.

Vice Chair Yates moved to approve the Consent Agenda as submitted.

Member Getto seconded the motion and the decision carried unanimously.

12. Public Comment:

There were none.

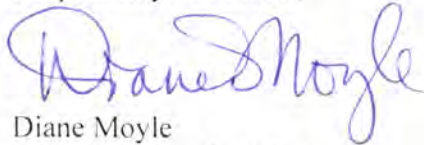
13. Adjournment:

There being no further business to come before the Planning Commission, Chair Arciniega adjourned the meeting at 11:23 p.m.

14. Appendix:

Supporting Documentation

Respectfully submitted,



Diane Moyle
Administrative Assistant



**CHURCHILL COUNTY
PLANNING COMMISSION
CHURCHILL COUNTY, NEVADA**

155 N. Taylor Street, Suite 194

Fallon, Nevada 89406

(775) 423-7627

Fax: (775) 428-0259

E-mail: planning@churchillcounty.org

******NOTICE OF PUBLIC MEETING******

AGENDA

PLEASE POST

PLACE OF MEETING: Churchill County Administrative Building, Commission Chambers,
155 North Taylor Street, Fallon, Nevada

DATE & TIME: July 13, 2022 at 7:00 PM

TYPE OF MEETING: Regularly Scheduled Planning Commission Meeting

Live Webcasting:

<https://churchillconv.suiteonemedia.com/web/live/>

If you wish to make public comment, you may make them in person at the meeting or via e-mail, no later than 4:30 PM the day before the meeting, to: planning-admin@churchillcounty.org and planning-bl@churchillcounty.org.

Notes:

- I. These meetings are subject to the provisions of Nevada Open Meeting Law (NRS Chapter 241). Except as otherwise provided for by law, these meetings are open and public.***
- II. Action will be taken on all Agenda items, unless otherwise noted.***
- III. The Agenda is a tentative schedule. The Planning Commission may act upon Agenda items in a different order than is stated in this notice – so as to affect the people's business in the most efficient manner possible.***
- IV. In the interest of time, the Planning Commission reserves the right to impose uniform time limits upon matters devoted to public comment.***
- V. Any statement made by a member of the Planning Commission during the public meeting is absolutely privileged.***
- VI. All persons participating in the meetings are put on notice that an audio and video recording is made of these meetings.***

AGENDA:

- 1. Call to Order.**
- 2. Pledge of Allegiance.**

3. **Public Comment.**
4. **Verification of the Posting of the Agenda.**
5. **Consideration and possible action re: Approval of Agenda as submitted or revised.**
6. **Verification of notification of all landowners in accordance with NRS and the Churchill County Consolidated Development Code.**
7. **Consideration and possible action re: Approval of Minutes of the meeting held on:**
 - A. June 8, 2022 Hearing
8. **Public Hearings:**
 - A. Consideration and possible action re: A temporary use permit application for temporary quarters for general purposes filed by Kent Champneys for property located at 6840 Reno Highway, Assessor's Parcel Number 008-141-03, consisting of 6.97 acres in the C-2 zoning district. The applicant proposes an RV for a caretaker to live on the property to discourage theft and vandalism, similar to a Commercial Watchman, though without a business. The caretaker will help clean the property and assist with re-establishing the previous Rock Shop.
 - B. Consideration and possible action re: A home business special use permit to establish a mobile welding business filed by Refugio Trillo for property located at 6901 Cox Road, Assessor's Parcel Number 008-112-12, consisting of 5.0 acres in the A-5 zoning district. The applicant proposes to convert an existing hay shed into the business shop.
 - C. Consideration and possible action re: A variance application for an increase in the maximum number of onsite storage containers filed by Nick Biscay, CEO, Stanislaus Farm Supply, for property located at 500 Gummow Drive, Assessor's Parcel Number 008-391-10, consisting of 3.54 acres in the C-1 zoning district. The applicant requests to increase the number of allowed storage containers from 4 to 16 to house a variety of products.
 - D. Consideration and possible action re: A major special use permit application for a Rail Based Services facility filed by James Soulia of Omaha Track for property located at 1006 Nevada Street, Assessor's Parcel Numbers 009-251-74, 009-251-86 and 009-251-88, consisting of a total of 121.22 acres in the A-10 and Industrial zoning district. The applicant proposes a rail tie and material sorting yard business.
 - E. **Old Stone Ranch Planned Unit Development** – A conceptual planned unit development application filed by NevDev, LLC for property located between Casey Road and Birch Lane, and property south of Birch Lane. The project will encompass Assessor Parcel Numbers 008-792-11, 008-792-95, 008-831-77, 008-831-85, and 008-831-86 for a total area of 107.239+/- acres. The properties were previously approved for urban development, but those approvals have expired. The current concept proposes 619 single-family and multi-family residences. This number includes a request for bonus density in exchange for providing community benefit by constructing a County park. A copy of the concept plan is available for viewing in the Public Works, Planning and Zoning Department office.
9. **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 home business special use permit for operation of a small, firearms sales business previously granted to Michael Christopherson for property located at 445 Hunter Park Way, Assessor's Parcel Number 008-313-18, in the E-1 zoning district. The applicant is moving the business to a commercial location since it has become very successful.

10. Public Comment.

11. Adjournment.

12. Appendix.

Supporting Documentation

STATE OF NEVADA)
 : ss.
County of Churchill)

I, Diane Moyle, Administrative Assistant, do hereby affirm that I posted, or caused to be posted, a copy of this notice of public meeting, on or before the 7th day of July 2022, between the hours of 8:30 a.m. and 3:30 p.m., at the following locations in Churchill County, Nevada:

1. County Administration Building, 155 N. Taylor St., Fallon, NV;
2. The Churchill County Website @ www.churchillcountynv.gov;
3. The State of Nevada Website @ <https://notice.nv.gov/>.

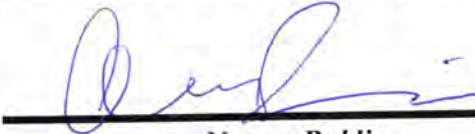


Diane Moyle, Administrative Assistant

Diane Moyle, Administrative Assistant, who was subscribed and sworn to before me this 7th day of July 2022.



ALEXA ROBINSON
Notary Public - State of Nevada
Appointment Recorded in Churchill County
No: 21-2602-04 - Expires December 1, 2025



Notary Public

Endnotes:

Disclosures:

**Churchill County is an equal opportunity provider and employer.*

Accommodations/Nondiscrimination:

**In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its agencies, offices, employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies or complaint filing deadlines vary by program or incident. Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotope, American Sign Language, etc.) should contact the responsible agency*

[(775)423-4092] or USDA's TARGET Center at (202)720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800)877-8339. Additionally, program information may be available in languages other than English. To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at: http://www.ascr.usda.gov/complaint_filing_cust.html and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the Complaint Form, call (866)632-9992. Submit your completed form or letter to USDA by:

1. Mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;
2. Fax: (202)690-7442; or
3. Email: program.intake@usda.gov.

Procedures:

**The public meetings may be conducted according to rules of parliamentary procedure.*

**Persons providing public comment will be asked to state their name for the record.*

**The Churchill County Planning Commission reserves the right to restrict participation by persons in the public meeting where the conduct of such persons is willfully disruptive to the people's business.*

**All supporting materials for this Agenda, previous Agendas, or Minutes are available by requesting a copy from the Public Works, Planning and Zoning office, 775-423-7627. During the meeting, there will be one copy available for public inspection. Additional copies are available by making the request from the Public Works, Planning and Zoning office. You are entitled to one copy of the supporting materials free of charge.*



CHURCHILL COUNTY
PUBLIC WORKS, PLANNING, & ZONING

155 N. Taylor, Ste. 194, Fallon, Nevada 89406
Off. (775) 423-7627 Fax (775) 428-0259

STAFF REPORT FOR PLANNING COMMISSION MEETING – July 13, 2022

Prepared July 6, 2022

PLANNING COMMISSION MEMBER-STAFF MEETING

A meeting was held on July 6, 2022 to review the project applications listed below that are on the agenda for the July 13, 2022 Planning Commission Meeting. Site visits were made as noted.

- | | | |
|--|---------|---------------|
| • Champneys TUP for Temporary Quarters for General Purpose | Page 2 | No Site visit |
| • Trillo SUP for Home Based Mobile Welding Business | Page 6 | No Site visit |
| • Stanislaus Farm Supply Variance from storage container limit | Page 9 | No Site visit |
| • Omaha Track SUP for Rail-Based Services Facility | Page 12 | No Site visit |
| • Old Stone Ranch PUD Concept Plan Hearing | Page 20 | No Site visit |
| • Consent Agenda | Page 23 | No Site Visit |

PC Members Present

Zack Bunyard
Deanna Diehl

Staff Members Present

Chris Spross
Diane Moyle

REVIEW OF PROJECT FILES

The Public Works, Planning, and Zoning Department Staff has reviewed these applications for compliance with Churchill County Code as required by the Development Code. This staff report summarizes our findings and provides recommendations for the Planning Commission to consider while making their decisions on a project or making recommendations to the Board of County Commissioners.

If you have questions concerning details of the project or this staff report, please contact the Public Works, Planning, and Zoning Department staff for assistance.

Application:	<u>Temporary Use Permit</u>	Use Listing:	<u>Temporary Quarters for General Purposes (Watchman)</u>
Applicant:	Kent Champneys	Owner:	Kent Champneys
Site:	6840 Reno Hwy. (APN 008-141-03) – 6.97 acres		
Designations:	Master Plan – Urbanizing // Zoning – C-2		

Background: This application results from enforcement action on the subject property for excessive junk and waste, and for RVs being live in. The situation has been ongoing for at least a year. The Enforcement Official has been working with the owner and one of the RV tenants to resolve issues.

At the time of this staff report, there are **multiple RVs** on site located at the rear of the site yard (behind the “rock shop” buildings:

- A Fifth-wheel RV that is owned by and lived in by the “Watchman” Josh Elderton
- A self-propelled RV that was lived in (owned by a person living in it)
- A self-propelled RV that was used for storage (owned by Elderton)
- A truck camper sitting on the ground that was lived in by teen-agers at submittal, but has since ceased.
- A small tow camper that is highly degraded and appeared to NOT be lived in.
- Other degraded truck campers from the previous owner are still found on-site, but NOT lived in.

The lived-in units had power cords and/or water lines running to them from a shed on the property. This shed had also been set up for use as kitchen/dining facilities. Over the course of the last year, little progress has been made. After submitting this application, the Enforcement Officer has gotten limited progress on the multiple people living in RVs moving out. The difficulty is that people can simply move back into the RVs if this application is approved.

The **excessive junk** has been collected both by the previous owner at the front of the property related to the Rock Shop. Additional junk has been collected by the RV tenants since 2021. Air photos dating back to 2011 show rock shop materials stored outside surrounding the store building; mining equipment and machinery stored east of the store and shop; but only a little debris to the rear of the site yard (north part of a fenced/marked use area). This included 5 truck camper shells (large and small), a derelict smaller towable RV, and 5 inoperable (not moved) vehicles. These items remained mostly unchanged until recently. In addition, early on, the mobile home appeared to stop being used in favor of a small, towed RV (that later moved around in photos), and shortly afterward a large towed RV. By 2021, the two lived-in RVs and 5 inoperable vehicles had been removed (truck campers remained). The air photo is provided in this staff report. In addition, the mobile home has been moved to the very NE corner of the air photo.

Since the 2021 air photo, 8 or more inoperable vehicles have been brought to the site that are apparently owned by Josh Elderton. More than half of these are unplatd and inoperable. In addition, it appears that extensive new junk has been brought to the site and placed among the recently lived-in RVs. Site visit photos of the rear of the site yard are provided in this staff report that were taken at the time of submittal. The rock shop debris and mining equipment appear mostly unchanged. Over the last year, the Enforcement Official has been working with the owner and the proposed “watchman” to get junk cleaned up. The proposed TUP is to allow a “watchman” to clean up the site. The difficulty is that the “watchman” and other RV tenants seem to have accumulated more junk rather than cleaning the site.



Proposal: This application results from enforcement action on the subject property as described above. The applicant is proposing a Temporary Use Permit to authorize an RV for Temporary Quarters for General Purposes that is similar to a Commercial Watchman TUP. There is no commercial business, but the application indicates the “watchman” will (a) help clean up the property, (b) “find hidden treasures” at the Rock Shop, and (c) watch over it. The applicant indicates plans to either (1) re-open the Rock Shop, or (2) open a church-related facility, or (3) use the site for storage. But it should be noted that, according to the Building Dept. staff, the existing buildings appear to be uninhabitable by people for commercial or residential purposes, and it is unlikely that they can be renovated to meet building standards.

The temporary quarters for the “watchman” will be the RV (of unknown age) located on the east side of the long building in the rear yard area that is marked “barn” on the site plan, and can be seen in the photos above with the shade cover between the barn and RV. No information is provided about services for the proposed TUP RV or the other RVs, though there are power cords to most of them and water hoses to some of them. A portable toilet for human waste handling is located adjacent to the TUP RV, but should not be allowed for long term sewer service. Grey water has been dumped in the rear of the area, but state law requires dumping into a treatment system, so this is not allowed. Staff recommends that the RV toilet be used in normal manner, and the septic company should pump it and the grey water instead of the portable toilet.

The Rock Shop and related buildings are so old that the Building Dept. has no building permit record for the site. The Building Dept. indicates that the age of the septic system will require it to be inspected by a certified professional before use again, and if allowed it may not last long.

The Reno Highway is a publicly maintained paved road located in its own strip of state owned land. Lucas Road is on the far west side of the property, and lies within a County road easement. No other easements are shown in the GIS system. The RV must be located outside the easements and yard setbacks. The watchman’s RV currently meets that requirement, though other RVs may not.

Criteria Review: CCC 16.08.070(F) Findings requires the Planning Commission to find that the criteria for a General Purpose Temporary Quarters in CCC 16.08.070(B)6 are met. The applicant has a burden of proof to provide evidence supporting the request. The criteria is that the purpose “is similar to and not more obnoxious or detrimental to uses listed in subsections B1 through B5 of this section. Evidence must be provided that demonstrates an extraordinary need and demonstrates attempts to find an alternative accommodation.”

The application requests to be treated similar to a commercial watchman TUP, but there is no commercial operation on-site. The left-over remains of the rock shop are stored in an unsecured manner, though there are buildings that could store them. The stated aim of the watchman is partly to clean up the site; however, the RV tenants seem to have brought more junk to the site. This would argue that the proposal will be more obnoxious than having left the site as it was, and should be denied. If the approval results on just one RV on-site and the site really does get cleaned up, then the request may be acceptable.

If approved, it is recommended that carefully monitored conditions be established to ensure that clean up happens.

STAFF RECOMMENDATION:

NO RECOMMENDATION- Staff would suggest one of 2 options:

- Approve the application for 3-4 months at a time to accomplish property cleanup, with renewals accompanied by monitoring and recommendations by the Code Enforcement Official.
- Denial based on the lack of any real need for a watchman and the finding that the proposed TUP has been and will be more obnoxious than other similar TUPs.

MOTION FOR FINDINGS: 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 that the findings [**HAVE BEEN // HAVE NOT BEEN**] met for conformance with the criteria found in CCC 16.08.070(B)6 regarding a Temporary Use Permit for Temporary Quarters for General Purposes on APN 008-141-03.

[For DENIAL add] Specifically the proposal will be more obnoxious than other similar temporary quarters.

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

□ Based on the previously adopted findings made for this project, I move to [**APPROVE // DENY**] the application for a Temporary Use Permit for Kent Champneys to establish a Temporary Quarters for General Purposes at 6840 Reno Hwy. (APN 008-141-03).

[For APPROVAL the motion should ADD] 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 permit is subject to renewal every 3 months, and only lasts until the site is cleaned up to the satisfaction of the Planning Commission. Renewal is subject to showing progress in cleaning up the property.
2. The watchman must be Josh Elderton, and must be the person living in the temporary quarters. It may not be rented or used by another person.
3. The portable toilet shall be removed from the site. The RV waste tanks shall be regularly pumped, and receipts provided at each renewal.
4. A dumpster must be kept on the property to assist clean up at all times during the authorization of this TUP. It must be emptied when full so clean up may continue without delays.
5. All other RVs and truck campers must be removed from the site before the first renewal.
6. The temporary quarters must comply with Churchill County Code.
 - a. All required Building Department approvals and safety certificates must be obtained for the RV, including any required set-up permits, and any inspections of water, septic and electrical connection when the temporary quarters is installed.
7. The temporary quarters must use temporary construction practices. It may not be placed on a permanent foundation.
8. When the temporary quarters are no longer needed, it must be removed from the property or otherwise made to be conforming.

Application:	<u>Special Use Permit</u>	Use Listing:	<u>Home Based Business for Mobile Welding</u>
Applicant:	<u>Refugio Trillo</u>	Owner:	<u>Refugio & Mirna Trillo</u>
Site:	6901 Cox Road (APN 008-112-12) - 5 acres		
Designations:	Master Plan – Urbanizing // Zoning – A-5		

Summary: The applicant is requesting a Special Use Permit (SUP) for a Home-Based Business at the home property. The definition for a Home-Based Business is:

Any business activity customarily not associated with a residential parcel conducted as an incidental and accessory use of the residential parcel.

Thus, a Home-Based Business is accessory to, and subordinate to the primary residential use. Normally a Home-Based Business is reviewed through an over-the-counter permit. They must meet EIGHT (8) criteria of CCC 16.16.020.8.1(a-h), which would help them to be nearly un-noticeable to neighbors. Those that cannot meet the criteria might have impacts on neighboring residences but might be approved through an SUP if they can meet the criteria of CCC 16.16.020.8.2(a-h). The proposed business is requesting the SUP due to customers coming to the property and modifications to buildings to house the business.

There is an open-sided hay shed behind the home that the applicant proposes to enclose in order to house the mobile welding business. While the business will be mostly mobile, with work taking place at customer's property, the applicant also expects some customers will come to the site.

Hours of operation are normal workweek days and hours. Around 8 customer visits per week are expected. The site has business parking and truck loading space at the front of the shop. Some deliveries can be expected, including for heavy metal materials. Cox Road is a County-maintained paved road lying within an 80' road easement centered on the north property line. 5' utility easements exist around all property lines, except for being 10' along the road easement. No alterations that impact the well and septic are proposed.

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 neighborhood is composed of similarly sized 5-acre residential lots, with larger lots north of Cox Road. There are many residences within a short distance. A full-blown welding business would not normally be allowed in the A-5 zone, but a small one proposed as a home business with only the owner as an employee would be compatible.

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. The area around the proposed home business has a Master Plan designation of Urbanizing. The property is zoned A-5 agriculture, but does not have water-rights. **Home Based Businesses are a listed use** in the zoning district or use table for the A-5 zone, needing an SUP for those proposals that do not meet certain criteria. Most Master Plan policies are not applicable to the development of commercial 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.

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.

Compatibility issues are discussed under criterion 1, above. Environmental Impacts are addressed in Criterion 5. ***Conditions of approval should allow the project to meet the above policies.***

The proposed development must conform to the County Development Code. Conditions of approval will address specific issues. ***NOTE that full businesses normally meet the code requirements referred to below.***

- **Generally:** Changes to the residential septic system and water well should not be needed. Changes to the existing buildings would not affect setbacks and easements. The parking code (including handicapped parking) does not require parking for activities accessory to a residential use. Any required parking for a Home-Based Business would be determined through the SUP, but the proposed parking area appears adequate. Similarly, the landscaping code does not apply to activities accessory to a single-family residence, like a Home-Based Business. No signage or outdoor lighting is proposed. New residences must pay County impact fees and dedicate water, but an accessory home business does not. All of the above do apply to a full-blown business.

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

There is no public sewer and water services on or near the site. Private sewer and water service currently exist on-site and can be used for the accessory Home-Based Business. Welding uses equipment and materials that can be a fire hazard. The Fire Marshall is aware of the project and it will not overburden police and fire services. Public road infrastructure is discussed below.

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

Traffic trips for the business are minimal with a handful per day (1 visit = 2 trips). Cox Road is paved and adequate for the customer traffic, and no mitigation is necessary.

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.*

Businesses with customer and employee traffic often have traffic impacts on neighboring uses, but in this case impacts will be minimal. Noise from metal pieces banging together could be a noise impact, but is expected to be minor since most business activity for a mobile business will take place at customer properties.

STAFF RECOMMENDATION: APPROVAL

MOTION FOR FINDINGS: 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 that the findings [**HAVE BEEN // HAVE NOT BEEN**] met for conformance with the criteria found in CCC 16.08.080(H) on APN 008-112-12.

[For APPROVAL - Staff Report provides adequate findings.]

[For DENIAL – add additional findings:] Specifically, the proposal fails to **[ADD NEEDED REASONING RELATED TO CRITERIA]**

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

- Based on the previously adopted findings made for this project, I move to [**APPROVE // DENY**] the special use permit application to establish a Home-Based Business for mobile welding at 6901 Cox Road (APN 008-112-12).

For APPROVAL the motion should ADD: 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. Approval of the Home-Based Business is limited to:
 - a. Operation only by Refugio Trillo. Approval is not transferrable to another location or operator.
 - b. This approval is for the proposed mobile welding business. Adding other activities, such as mobile plumbing services, welding classes, etc. is prohibited.
 - c. Business hours and customer visits are limited to those proposed in the application.
2. The project must be in conformance with County Code, including but not limited to:
 - a. No outside storage, signage, or outdoor light has been approved.
 - b. A business license must be obtained and maintained.
 - c. All necessary building permits must be obtained for converting the hay shed into a shop.
 - d. All changes and inspections required by the Fire Marshall shall be implemented.
3. Operations shall be conducted in a manner that do not create a nuisance (public or private) under Nevada law or Churchill County Code.

Application:	<u>Variance to the maximum number of storage containers per parcel</u>		
Use Listing:	<u>Retail and Services</u>		
Applicant:	Nick Biscay for Stanislaus Farm Supply	Owner: Judy Dalluge	
Site:	500 Gummow (APN 008-391-10) - 3.54 acres		
Designations:	Master Plan – Urbanizing // Zoning – C-1		

Project Summary: Stanislaus Farm Supply is a co-op that supplies local farmers with products and provides services such as application of products, and renting equipment to apply products, etc. They recently closed the Yerington store, and now the Fallon store needs to hold enough product to serve both valleys. Due to the limited space in the existing store and storage buildings, they added cargo containers to store the products. The site currently holds 16 containers, far more than is normally allowed. On seeing the added containers, staff informed the company of the container limit. The company has chosen to request a variance from the limit on the number of storage containers to increase it from the 4 containers (1 per acre, rounded up) currently allowed for the site, to 16 containers. This is a variance of 300% more than of the normal limit. The other option is to construct another building to store product.

For most of the building's life, there has been a fenced storage yard in front of the building. The corner of the fence is approximately 47 feet from the center of Gummow Drive; which is within the street setback line located approximately 60' from the centerline. A fence inside the setback is acceptable. In 2016 or 2017, a cargo container was added to the front parking lot of the store outside of the fence, placing its corner approximately 40 feet from centerline, which is not allowed. In approximately 2018, the County Code was changed to increase the setback along faster County Roads, which would be 90' from the center of Gummow Drive. Recently, another container was added outside the first one, with a setback of approximately 35' or less from the centerline; and another was added to be next to the building, which is inside the newer setback line. Also recently, additional containers (totaling 16) were added to the property arranged along the railroad spur passing through the property – many of them also being within the street setback.

If the increased number of cargo containers is approved, they need to be placed to meet the Gummow Drive street setback.

- Most of the space north of the store could not be used since it is within the setback
- Some containers can be placed to the rear (east) of the store.
- Some containers can be placed south of the store, roughly east of a power pole.
- The remainder of the containers would need to be placed across the road within the fenced storage area – again outside the setback.

Also: It appears that the storage of some business materials is extending across the east property line onto the neighboring lot, which will need to be corrected. A substantial federal irrigation drain easement runs north of the main railroad tracks, though the drain itself has been piped. Normally the containers could not be placed within the easement, but TCID has specifically given the applicant permission to place containers within it.

Variance Criteria Review:

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.***

The application indicates that the business supports commercial agriculture which is exempt from the storage container limit in Code. They too would like to have more storage containers. Staff comment - The noted exemption does not apply to commercial stores. It is unclear why storage containers are needed now and why a storage building cannot be built. However, the important service provided to local farmers establishes improved competition in the farm supply market, and closing of the business would create a financial hardship on farmers. This presents an exceptional situation. An additional 2 options are to (1) approve the Variance for a limited period to find alternative solutions, and/or (2) compensate for visual impacts by requiring the existing fenced storage area to add screening from the highway and Gummow Drive.

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.

The application indicates that maintaining temperature for temperature sensitive products is a hardship for using the large number of cargo containers. Staff comments - It is unclear why storage containers are needed now and why a storage building cannot be built. However, the important service provided to local farmers establishes improved competition in the farm supply market, and closing of the business would create a financial hardship on farmers. This would present a hardship on farmers. An additional 2 options are to (1) approve the Variance for a limited period to find alternative solutions, and/or (2) compensate for visual impacts by requiring the existing fenced storage area to add screening from the highway and Gummow Drive.

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.

The application indicates that there should be no detriment to the public, would not increase demand on emergency services, would not increase the use of public facilities, and would not affect neighbors. Staff comments – Approval of the massive increase in allowed containers in their current location could affect the traveling public and the image of the community by encroaching into road setbacks and presenting a “port”-like appearance to the community. The Master Plan includes language to protect the community image along the local highways. Conditions of approval to require the cargo containers to meet County Code requirements (street setbacks) would improve both issues. Only a limited number of containers could be in the visible east side of the property; and the rest would be west of the road behind the fence. An additional 2 options are to (1) approve the Variance for a limited period to find alternative solutions, and/or (2) compensate for visual impacts by requiring the existing fenced storage area to add screening from the highway and Gummow Drive.

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

The limit on storage containers in CCC 16.16.020.3.1 protects the image of the community and neighborhoods. It prevents storage containers from accumulating on properties in numbers disproportionate from the size of the property – specifically 1 per acre, with a limit of 2 outside of commercial and industrial zones. The application did not respond to this criteria. Staff comment. The impacts on the image of the community and neighborhoods can be reduced by meeting the street setback Code standards, thus limiting the number of containers on the east side of Gummow Road to have a reduced visual impact, and placing the remainder of the containers in the storage area west of Gummow Road where they will be camouflaged with other stored vehicles, equipment, and materials. An additional 2 options are to (1) approve the Variance for a limited period to find alternative solutions, and/or (2) compensate for visual impacts by requiring the existing fenced storage area to add screening from the highway and Gummow Drive.

STAFF RECOMMENDATION:

APPROVAL with Special Conditions as decided by the PC

MOTIONS FOR FINDINGS: 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 that the findings [**HAVE BEEN // HAVE NOT BEEN**] met for conformance with the criteria found in CCC 16.08.090(F) regarding a Variance from the minimum parcel size on APN 008-391-10.

[For APPROVAL - Staff Report provides adequate findings.]

[For DENIAL – add additional findings:] Specifically, the proposal fails to ... **[ADD NEEDED REASONING RELATED TO CRITERIA]**

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

- Based on the previously adopted findings made for this project, I move to [**APPROVE // DENY**] the request for Variance to exceed the limit on storage containers allowed on the property found in CCC 16.16.020.1 at 500 Gummow (APN 008-391-10)

For APPROVAL the motion should ADD: 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 variance is only for Stanislaus Farm Supply. It is not transferable to another location or another operator.
2. The approved maximum number of storage containers on the property shall be 16.
3. All containers shall be setback a distance of 90 feet or more from the Gummow Drive centerline, and all other setbacks shall be met. The relocation of containers shall take place within 90 days.
4. Containers shall be arranged in a neat and tidy manner.
5. This permit does not authorize trespass of equipment on adjoining properties.
6. Compliance with Churchill County Code.
7. This variance expires in 3 years from the date of approval. On expiration, the storage containers shall be removed.
8. The storage area west of Gummow Drive shall be modified to meet County Code requirements for screening of outdoor storage along the south and east property lines.

Application:	<u>Special Use Permit</u>	Use Listing:	<u>Rail Based Services Facility</u>
Applicant:	<u>Omaha Track</u>	Owner:	<u>TRP Properties</u>
Site:	1006 Nevada St. (3 parcels: APN 009-251-74, -86, & -88) – 121.23 acres (total)		
Designations:	Master Plan - Industrial & Hazen Planning Area // Zoning – Industrial & A-10		

Background: The subject property is currently being operated by Omaha Track, primarily for its railroad tie sorting operation. The site includes smaller functions such as handling railroad steel (track, fasteners, etc.) The facility requires a Special Use Permit on multiple grounds. Rail-based services require an SUP. And uses that may impact public health and safety require a SUP. This facility will store large quantities of very flammable creosote coated rail ties outside where they are more susceptible to combustion.

The operation started up in mid-2017 with the understanding that it would eventually obtain a Special Use Permit (SUP). The applicant did not pursue the SUP until prompted by the Planning Director after receiving complaints by neighbors, TCID, Fire Marshal and the traveling public. At that time extreme levels of stacking railroad ties had occurred, likely with more than a half million ties. It was understood early on that a road maintenance agreement would be needed, but that was deferred to the SUP process.

In March 2019, an SUP was approved with most of the operations being east of the railroad “triangle” described under the **Site** heading, below, with all operations located on the two east-most parcels. The west parcel, adjacent to the community of Hazen, was labeled at a buffer between Hazen and site operations. In June 2019, the company requested an alteration to the SUP to allow use of a portion of the west parcel lying east of the main site road (running from the site entrance SE through the west-most parcel). Subsequently, the company has requested to place minor site elements west of the road, such as the well and water tank. Note that current plans continue to propose additional operations west of the site road. In addition, it was learned that a substantial amount of rail steel (track and fasteners) were being stored north of the track, which was not part of the previous SUP.

The current application results from the fact that the previous SUP had a layout that was never implemented - so it essentially expired. This application proposes a different layout that more simply permits the existing operations, with some new, short term facilities installation, such as a permanent office.

Site: The subject property is at the intersection of three Union Pacific railroad lines. These include (a) the mainline running east-west through Northern Nevada, (b) the Fallon line running southeast to the City of Fallon; and (c) the Mina line running under the US 50A overpass and then west out of the County. This intersection creates many curving segments of track to connect the different lines, and also shapes the project parcels. The defining feature is a “***triangle***” of land in the middle of the site that is owned by the Union Pacific Railroad, which is the result of curving existing and former tracks at the intersection of the different lines.

The subject property is composed of 3 lots, which are numbered for description in this Staff Report: Lot 1 is the lot adjacent to the town of Hazen (zoned A-10 and Industrial). Lot 2 is the lot between Lot 1 and the curve of the railroad track to the Mina line (zoned Industrial). Lot 3 is separated from the other two, is the lot east of the rail triangle (zoned Industrial), and includes a portion extending north of the railroad mainline. The property does not front the highway except for Lot 1.

Operations: The operations up to this point (over 5 years) never resembled the planned operations in the first SUP. The applicant verbally indicated this is a result of difficulties in reaching a final deal with the railroad

company, ongoing improvements and changes in manual tie sorting, and the ultimate ineffectiveness of the planned automated tie sorting machine. The first SUP required that the number of stored rail ties be reduced within 3 years to less than 150,000, and Omaha Track's targeted rotating volume was planned for no more than 100,000 ties. The sorting machine would have easily accomplished this, but eventually improvements in the manual sorting operations managed to accomplish the goal. After the first SUP approval, it was learned that a substantial amount of steel storage (track and fasteners) were being stored north of the main railroad line (accessed from California Street) and on Lot 3, which was not part of the previous SUP

The primary operation of the site is the sorting and resale of used railroad ties, mainly from the company's track rehabilitation work. Ties are shipped in by rail, offloaded, and manually sorted by grades of condition. The most badly damaged ties are reloaded on rail cars for transport to bulk buyers, such as for power plant fuel. After grading the remaining ties, they are sold based on their grade. Those in good condition are re-sold to other rail companies, and probably shipped out on rail cars. Other grades are bundled and sold to buyers, usually by truck. Examples include landscaping ties or fencing materials that are sold at hardware stores. It should be noted that ties have been sold through on-site retail sales. So standard retail customers facilities must be provided at the office that is proposed in this permit. In addition, storage of other rail related materials is proposed – mainly for steel, and waste materials from tie sorting.

The first SUP had planned to have the main operations and storage yard on Lot 3, with overflow storage on Lot 2. The new application proposes almost all operations on Lot 1 and Lot 2. The new site plan shows activities that generally fall into different areas of Lot 1 and Lot 2.

- Lot 1 west of the site road had previously been designated as a "buffer" for Hazen residents, and was later reduced by part. The new site plan proposes that this area be used for "quieter" uses, such as the well and water tank (for dust control and fire suppression), a permanent office with parking lot, and a business sign along the Reno Highway. The office plans are included, and it will use the existing water well and power service, and will install a new septic system.
- Lot 1 east of the site road (reaching eastward to where the curve of Lot 2 begins) contains much of the active material handling activity. These include train car loading/unloading, tie sorting, tie bundling, truck loading, and vehicle travel areas. Also on Lot 1 are the existing temporary offices, portable toilets, and parking area – these being near the site entry. It should be noted that businesses operating at permanent locations are not allowed to operate out of temporary offices that do not meet commercial construction standards, nor use temporary toilets for employees and visitors.
- Lot 2 is mostly devoted to storage of rail ties, rail steel, and scrap piles. But there is also some truck loading and sorting proposed.

Additionally:

- On Lot 3, the site plan shows additional rail spurs, but there is no indication of the land uses in that area, and the applicant indicates those will not happen for a while. Staff recommends that area NOT be approved in this SUP, but rather reviewed when that area will actually be developed.
- On Lot 3 north of the main railroad line, unpermitted steel storage had been taking place, but the applicant verbally indicates this is being moved. The new site plan shows some temporary rail storage north of the tracks, but that area appears to be outside of Omaha Track's property. Staff recommends that the use areas north of the main railroad line be excluded from this SUP and any storage take place in the main yard. In addition, use areas north of the tracks would have to meet normal business site requirements such as landscaping, fenced screening, access road standards, etc.

The business takes access from Hazen Townsite roads, which are privately maintained except for California Street (north of the main rail line and connecting to the Reno Hwy.). The County and Omaha Track agreed that

the primary route to the business would be exiting the highway at California Street, then using Nevada St. (in an 80' easement along the tracks) to reach the business entry. A road maintenance agreement was signed during the previous SUP for the company to maintain Nevada Street. However, early on, Hazen Ave. had been freely used by trucks and customers as a short cut through the Hazen residential area. It is the short street connecting Nevada St. and the highway, and is located nearest to the business entrance. The company has been mostly successful in directing truck traffic to the correct route rather than cutting through the neighborhood. But retail customers might not know about the correct route, might forget, or might not care. Other access easements run around the edges of Lot 1. Few easements are found on Lots 2 and 3, other than the easement for the irrigation drain. It should be noted that the previous SUP required a traffic study, and the summary letter is provided in the submittal package. NDOT reviewed the letter at that time, and no traffic improvements were needed.

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.

NOTE that without meeting code requirements, described below, the project cannot be deemed compatible.

The surrounding land uses along US 50A are predominantly vacant desert land to the east, and south, with a few remotely spaced residential, commercial, or industrial buildings – some of which are dilapidated. Adjacent to the subject property to the west and north is the town of Hazen which is largely residential. To the southwest is the Hazen agricultural area, with some widely spaced residences mixed in. The project is compatible with the less developed areas due to distances and sometimes similar industrial/commercial uses. The exception is the town of Hazen which is the closest group of uses. The previous SUP found that an industrial use next to Hazen would normally be incompatible, but moving the bulk of the operations to Lot 3 would be enough to make it compatible. At that time, all of Lot 1 was designated as a buffer to Hazen. But the previous plan was not implemented, and the current plan proposes all operations to be much closer, with most activity areas on Lot 1, and with some facilities west of the access road. The Code requires the implementation of friction zones, which can include a sound barrier as described under Criterion 2. A sound barrier would mitigate negative impacts to adjacent residences, and this compatibility criteria could be met. Also see Criterion 5 regarding other impacts.

The storage of outdoor materials raises concerns regarding the impacts to the visual character of the highway entering into the community. Normal screened fencing will be ineffective for the stacks of rail ties, and in a way the stacks themselves are sort of a fence or screen. But the steel and other storage areas are different and need to meet the Code requirements for screened fencing, as described under Criterion 2. Doing so will help mitigate visual impacts to the neighborhood.

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. A **Rail-Based Services Facility is a listed use** in the use table for the Industrial zone, needing an SUP. The site is also within the Hazen-Swingle Bench Planning Area.

Most Master Plan policies are not applicable to the development of commercial or 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: (a) requires protection of the community from new development, (b) requires

consideration of the community gateways, and (c) has special policies and considerations for the community of Hazen. Policies are noted below.

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.

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."

Hazen-Swingle Bench Special Planning Area The planning area recommends:

- That adjacent industrial uses provide appropriate buffering to the Hazen Townsite.
- A future highway landscaping project is anticipated for a mile in either direction of the Hazen Townsite.
- Development along the highway should incorporate design standards to (a) use high aesthetic standards including landscaping and signage, (b) preserve visual character, (c) ensure compatibility between uses, and (d) use shared infrastructure elements.

The **Transportation Section** includes various statements and policies that support the use of rail for commercial activities.

Criterion 1 discusses compatibility issues. See criterion 5 regarding environmental impacts. While the County is glad to have Omaha Track in the community, the site presents a somewhat shocking site to travelers entering the community (improving in the last year or so). Meeting County Code requirements for landscaping and signage will contribute toward improving the aesthetic issues as noted for the Special Planning Area and Gateways, though special consideration is also needed. The proposed development must conform with the County Development Code. Conditions of approval will address specific issues, including:

- **Impact Fees:** This business has been operating for several years, but has not paid local impact fees for roads and water. These will have to be paid with this permit.
- **Setbacks and Easements:** Proposed structures appear to meet setback and easement requirements.
- **Sewer and water facilities:** The current operations use temporary facilities, which is not allowed. The proposed office will use on-site septic and well facilities.
- **Signage and Lighting:** Outdoor lighting is NOT proposed and is not currently evident. Signage is proposed along the Reno Highway, but no details are provided. Signage in the A-10 zoning district must be approved by the Planning Commission. Staff has asked the applicant to bring proposed sign information to the meeting, and recommends that a high quality sign be installed to meet the Special Planning Area and Gateway standards of the Master Plan.
- **Outdoor storage:** The new site plan includes several outdoor storage yard areas. CCC 16.16.020.3 requires a 6' view obscuring fence around outdoor storage yards. The difficulty is that almost the entire site is a storage area that is very difficult to provide screening for. This difficulty can be eased by the fact that the rail ties are stacked into rows over 20' high. They cannot be separately screened, but also form a sort of screen wall by themselves. The Director has determined that the stacks themselves

do not need to be screened, even though they are generally mobile throughout the year, and only serve as a screen from one side. However, the remainder of the outdoor storage areas need to be screened, including stacks of rail steel, piles of steel fasteners, large scrap piles, and other “non-tie” materials. It would be extremely difficult to screen individual areas, so an alternative is needed. It is recommended that the layout be modified to centralize the individual storage areas so a single screened fence can be placed around it. A recommended condition for Friction Zones requires a 7’ sound wall or berm along the west property line (Hazen frontage) that will also have some screening function. In addition, scrap material piles need a height limit.

- **Parking Requirements:** Parking requirements for industrial uses are not listed in the Code, and in such cases the Director determines the required parking. The closest listed use in the parking code is Manufacturing which requires 1 space for each employee on the largest shift, plus 5 spaces for visitors. However, retail customers also come to the site. The application indicates there are currently 15 employees, which indicates at least 20 spaces are needed. The Director has determined that 25 spaces is the minimum parking lot size to also account for retail parking. One of these spaces must be a van accessible ADA parking space with paving and ramp to the office. If more than 25 spaces are provided, an additional standard ADA parking space will be needed.
- **Landscaping Requirements:** The landscaping code requires:
 - >> 1 parking lot tree per 15 parking spaces, so 2 trees will be needed in the parking lot near the office. They must be irrigated.
 - >> A 10’ street landscape buffer that will apply (a) to the Reno Highway frontage of Lot 1 (~850’ between Hazen St. and Hazen Drain), and (b) to the site entry on Nevada Street.
 - >> Friction Zones also require an 8’ landscape strip along the west property line (Hazen frontage) – see below.Landscaping does not need to be grass or groundcover, but can be a mix of shrubs and trees (drip irrigated, etc.), decorative gravel, ornamental items (antique equipment, etc.), boulders, etc. Special landscaping should be planned around the business signage. Landscaping should be incorporated into the sound berm required for Friction Zone buffering. No landscaping details have been provided, and a condition of approval to provide a plan is recommended.
- **Friction Zones:** CCC 16.16.020.2 establishes Friction Zone standards to provide buffers between incompatible uses. Industrial uses must be buffered from residential properties.

F. Single-family adjacent to industrial shall include a 200-foot-wide setback that extends from the rear of the dwelling unit to the industrial building. Within the area between the building and the property line, an eight-foot-wide landscape strip with buffers along all common property lines to minimize visual and noise pollution that may be required up to and including an eight-foot-high sound wall at the discretion of the Planning Department shall be constructed. There will be a 100-foot minimum distance from the building to the property line.

The 200’ building separation is met. A landscape strip is required along the west property line. However, the normal noises generated by this industrial use also need to be mitigated, and the distance between the activity on Lot 1 and the Hazen residences will not adequately mitigate the noise. The Director is requiring a 7-foot sound wall or berm along the common property line. Other options are possible, but need to have substance to block sound – wood fences are not effective. The landscaping should be incorporated into the side of the berm facing Hazen.

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

There will be no public sewer and water services available at the site. Power is available at the site. Public road infrastructure is discussed below. The main concern is the burden placed on fire service. The proposal will likely require additional facilities for firefighting. A water storage tank is proposed for firefighting and for use for dust control. Coordination with the Fire Marshal in the site layout should be required in conditions. A recent fire concern has been the very tall waste debris piles resulting from rail tie sorting. The piles also need to be screened, so a height limit is recommended.

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

The current 15 employees generate 2 trips per day each, plus trips for leaving at lunch etc. 5-8 truck trips visit generating up to 16 trips per day. A traffic assessment was performed after the first SUP by a traffic engineer (being a condition). It found that volumes were small enough that there was no need for a full traffic impact study. However, the numbers at that time are for 4 employees and 8 trucks, so the number of employees were nearly 1/4th of the current 15 employees. It also did not account for retail customer traffic. NDOT has been notified to inquire if these numbers are still below their trigger for additional review. No comments have been received at this time.

Early on, there were concerns about impacts to Nevada Street, which is not maintained by the County. Omaha Track has entered into a Road Maintenance Agreement with the Road Department for the maintenance of Nevada Street. Early on, there were also issues with traffic using Hazen Street; however, Omaha Track appears to have brought that under control. However, it was recently learned that retail sales to the public have been taking place at the site. This traffic would probably use Hazen Street, which is privately maintained. The Road Supervisor has decided to require a maintenance agreement for Hazen Street since the applicant's retail customers are using it.

Mud track out has been a problem in the past. It is recommended that mud be controlled by graveling driving paths and roads on the site. This was also recommended in the first SUP, but not implemented; and trucks drove all over the site that had no surfacing, and tracked the mud onto roads.

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 potential environmental impact issues are noise impacts (from large truck, rail car loading/unloading, and heavy machinery), and dust impacts from disturbed areas and driving or operating on them. Impacts will primarily be on the adjacent residents in Hazen. The first SUP proposed that all of Lot 1 would be a buffer between Hazen Residents and the business operations, but the current application proposes to eliminate the buffer. The required sound barrier and landscaping required by Friction Zone standards will do much to mitigate noise impacts.

Early on, dust was a major problem that was not controlled for a long time. Over time, wooden shards and shreds from broken rail ties have accumulated on the ground. This has turned out to be an effective dust control medium in recent years. In addition, the current application proposes water trucks, dust palliatives, and work stoppage in high winds for dust control. Better graveling the main roads will also help.

STAFF RECOMMENDATION:

APPROVAL - as provided below.

Motions for Findings: 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 that the findings [**HAVE BEEN // HAVE NOT BEEN**] met for conformance with the criteria found in in CCC 16.08.080(H) regarding a special use permit on APN 009-251-74, -86, & -88.

[For APPROVAL - Staff Report provides adequate findings.]

[For DENIAL – add additional findings:] Specifically, the proposal fails to ... **[ADD NEEDED REASONING RELATED TO CRITERIA]**

Motions for Decision: The motion should be modified by the Planning Commission as needed.

- Based on the previously adopted findings made for this project, I move to [**APPROVE // DENY**] the special use permit application for Omaha Track to establish a Rail Based Services Facility on APN 009-251-74, -86, & -88.

For APPROVAL the motion should ADD:

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 permit is subject to review/renewal in 1-year, to confirm progress toward conformance with County Code and conditions of approval.
2. The facility shall operate within a limit of 150,000 railroad ties stored on-site at one time. Short term exceedance of this limit is allowed after consultation with the Planning Director, who may schedule a hearing with the Planning Commission if deemed necessary.
3. Due to the need for numerous changes to the site layout, a new site plan shall be provided for approval by the Director within 3 months.
4. Material storage north of the railroad mainline is NOT approved in this application. A new SUP will be required when development details are determined.
5. Rail spur expansion on Lot 3 is NOT approved in this application. A new SUP will be required when development details are determined.
6. Material handling and storage on the portion of Lot 1 west of the site road (adjacent to Hazen) is prohibited.
7. Ownership and parcel lines. This permit allows operation of the rail yard across parcel lines. Building construction is not allowed across property lines. If parcels are sold so they are under separate ownership, this permit will be void and a new permit must be established to address the new ownership and operation changes.
8. Dust and mud track out onto roads shall be controlled by providing an all-weather driving surface (gravel, paving, etc.) for all driving paths used in the operation, including roads, driveways, parking lots, and loading areas. General dust abatement on-site shall be provided by wood chips/shards, water, and dust palliatives.
9. The applicant (a) shall abide by the road agreement with the County Road Department regarding the use and maintenance of Nevada Street, (b) shall enter into a new agreement for Hazen Ave. and (c) shall provide any additional direction signage as determined by the Road Supervisor.
10. The applicant shall provide all layout and improvement needs identified by the Fire Marshal, including but not limited to appropriate height limits for railroad tie stacking, appropriate spacing

between stacking rows, configuration of the scrap piles, water facilities for fire suppression, and improvements to ensure all weather access within the site for emergency equipment.

11. The scrap piles shall not exceed 10 feet high.
12. The site must be constructed and operated in conformance with County Code and building permit requirements, and any state and federal permits and requirements; including but not limited to:
 - a. The storage of railroad ties must meet Fire Marshal requirements, setbacks, and other code limitations.
 - b. All “non-tie” outdoor storage must be screened. It is recommended that such storage be consolidated in a single area and provided with a screened fence.
 - c. Signage shall not be installed unless approved by the Planning Commission.
 - d. Landscaping. Two parking lot trees shall be provided near the office and irrigated. Street landscaping shall be provided (a) at the entrance, and (b) along the Reno Highway frontage. Friction Zone landscaping shall be provided along the west property line (Hazen frontage). A landscaping plan shall be provided for approval by the Director within 3 months. Landscaping may include signage, plants with irrigation, decorative rocks, boulders, equipment of interest, etc.
 - e. A 7-foot sound barrier berm or wall shall be provided along the west property line (Hazen frontage). It shall be incorporated into the landscaping requirements. A grading permit is required.
 - f. A parking area shall be provided for employees and visitors. There must provide 25 parking spaces, and one must be ADA accessible (Asphalt or Cement). If staffing increases in the future, parking shall be increased to provide one space per employee, and one of them must be additional ADA space.
 - g. Lighting placed within the site shall meet the Churchill County Code dark skies standards to direct lighting down, and screen it from upward or horizontal projection.
 - h. Impact fees and water dedication requirements must be met.
13. Operations shall be conducted in a manner that does not create a nuisance (public or private) under Nevada law or Churchill County Code.

Application:	<u>Old Stone Ranch Planned Unit Development Concept Plan – Hearing stage</u>		
Use Listing:	<u>Planned Unit Development</u>		
Applicant:	<u>Nev Dev LLC</u>	Owner:	<u>Verner Homes Nevada LLC</u>
Site:	5 parcels - 121.23 acres (total) APN 008-792-11 - 2685 Casey Road APN 008-792-95 – no address APN 008-831-77 – no address APN 008-831-85 (formerly APN 008-831-02) – no address APN 008-831-86 (formerly APN 008-831-19) – no address		
Designations:	Master Plan – Urbanizing // Zoning – E-1 (south unit) & R-1 (north unit)		

PUD Process for Concept Hearing stage:

The proponents of the Old Stone Ranch PUD have submitted their next step out of several in the PUD approval process. The applicant previously presented their concept for the PUD at a Planning Commission workshop. They took comments made at the workshop from the public and Planning Commissioners and have been working on improvements to the project. In addition, there have been extensive meetings with staff on acceptability on many elements, including the proposal for density bonuses. The project incorporates many of those comments as well.

The next step in the PUD process is to present the updated project at a Planning Commission Public Hearing. This hearing has been noticed to neighboring owners and in the local newspaper. Below are the Code requirements for the Concept Hearing stage. This staff report serves as the summary described in Item 6.

CCC 16.12.040.3.E. Application process.

... ..

6. If application is deemed complete the staff initially reviews the submittal to identify key issues and general information regarding the proposal and drafts a summary for the planning commission.
7. The planned unit development conceptual plan along with supporting material and the staff summary is then presented to the planning commission at a public hearing for discussion only. The applicant is required to present the concept and material during this hearing.
8. Following input from the planning commission on the conceptual planned unit development application the applicant can move forward to prepare the planned unit development submittal application.

The Planning Commission is NOT making a decision or approving the Concept Plan. They are suggesting guidance to the applicant and suggesting changes before the official application is submitted for decision.

Below are the Staff Summary and the Key Issues for the Planning Commission to consider.

Summary of Project

The details of the project are better described in the Project Overview of the submittal booklet. A summary of the primary elements of the project are provided below.

- **Two major project areas:** a North Unit (47 acres, zoned R-1) and a South Unit (60 acres, zoned E-1). Total is 107 acres.
- **North unit** - Includes most of the proposed density: Apartments east of the parkway, Townhomes west of the parkway, and a small number of single-family homes south of the multi-family elements. Buffers for adjacent single-family development to the east and west are proposed. See the booklet for details. Numerous small blocks of open space are planned within the multi-family areas. See maps for details.
- **South unit** - Includes two villages of single family homes on either side of the parkway, and a proposed community park along Birch Lane that will be offered to the County.
- **Normal Open Space Area** that is required is 20% of property, or 21.4 acres. The units that would be on these areas are shifted to the remaining 80%, so density of individual areas varies across the site. The proposed open space is very close to the required acreage. Final open space areas and their acreage will be figured out in the official PUD review.
- **Open Space must be developed.** Examples include lawn areas, other landscaping, open space hardscape (not normal street sidewalks), sports facilities, child play areas, etc. Exception is that protected special natural areas (like river vegetation) do not need to be developed – providing a cost savings. Applicant proposes natural open space for the grassland at south edge; and may also propose tree groves. Normally ditches, drains, and stormwater ponds cannot be counted without special approval. The applicant proposes that the stormwater ponds be built into a park setting and counted as open space. Similar treatment of a drain is possible too.
- **Base Zoning Density:** Averages 5 units/acre for north unit, and 2 units/acre for south unit. Maximum units would be 341. Average density for entire site would be **3.2 units/acre**.
- **Normal PUD Density:** Averages 5 units/acre for north unit, and 3.2 units/acre for south unit. Maximum units would be 428. Average density for entire site would be **4 units/acre**.
- **Bonus Density** can be requested by providing community benefit that is over and above the normal requirements. The maximum average density is 8 units/acre for north unit, and 5 units/acre for the south unit. Maximum units would be 678, or 250 bonus units. Average density for entire site would be **6.3 units/acre**.
- **Proposed Bonus Density:** Proposed units are 619, or 191 bonus units. In exchange, the applicant proposes to add community benefit by (a) building a 10-acre community park (with specific features) and offering to dedicate the land and improvements to the County, and (b) offering public access to certain open space areas. The park is over and above the normal 20% open space requirement, bringing the total required open space to at least 31.4 acres. Proposed Average Density for project is **5.77 units per acre**.
- **County Park** will include (a) 7 acres of grass sports fields with well and irrigation, (b) 1 acre of other landscaping with irrigation, (c) gravel parking areas, (d) a restroom building, and (e) piping the TCID drain (for child safety). The 10-acres of the park will be constructed to County specifications rather than the standard open space rules. Note that the plan describes the community park as 17 acres. 7 acres would be part of the PUD open space, and 10 acres would be transferred to County ownership after construction.
- **Primary Accesses:** There are 2 directions of primary access. The north access point will be to Casey Road, then connecting east to the light at US 50, and to a lesser extent west on Casey Road. The south access point runs east on Birch Lane to its intersection with Allen Road, then north to the city or south towards the base. To a lesser extent, traffic may run west on Birch Lane towards Lattin Road. The two access points will be connected by the new Old Stone Parkway running through the North and South Units. Improvements to surfacing and intersections will be needed, with details worked out during the official PUD review.

- **Minor Accesses:** There are several points of minor access. Along Birch Lane there are small residential streets that will be tempting for residents and park users as a shortcut to Walmart – mainly Pine Road and Cedar Road. This issue will need more consideration. Along the west side of the North Unit is an existing development with two roads planned for connection: Eagle Rock Road and Black Bird Road. There will be little temptation for PUD residents to travel in that direction, but more chance that existing residents will use the PUD roads.
- **Sewer and Water:** The project site currently has County sewer and water system facilities running through the North Unit, and located adjacent to the South Unit. Primary service mains will normally run down the Parkway, with side mains in the side roads, or through the multi-family areas. Water mains are extended from the water plant located to the west (on Elizabeth Parkway) and will form a network through the site. Sewer mains throughout the project will drain towards the pump station at the intersection of Birch Lane and Old Stone Parkway (mostly within the parkway). This means that the parkway running through the North Unit will have a gravity drain running south to the lift station, and also a force main running north to Casey Road. Improvement details will be worked out with the Improvement Plans.
- **Stormwater:** Stormwater for the South Unit will be simple to deal with, given the low levels of impervious surface. But the North Unit will be intensively developed with roofs, roads, and parking areas, so stormwater is an important consideration in the project layout. The proposal shows stormwater ponds at the south end of the North Unit (near the drain and sewer lift station) on either side of the parkway. An existing stormwater pond at the end of Elizabeth Parkway will be shifted eastward to be next to Old Stone Parkway. Normally, stormwater ponds cannot be counted as open space, but the applicant proposes these ponds to be built into a park setting and requests that they be counted as open space.

Key Issues for Guidance to Applicant

Below are Key Issues identified by Staff during review of the project. They are in the form of questions for Planning Commissioners to ask themselves when providing guidance to the applicant as they move to the next stage. It may be useful to take “straw polls,” as needed, to gauge positions on specific elements of the project.

- Is a PUD acceptable at this location?
- Is the multi-family component acceptable at this location?
- Is bonus density an acceptable proposition at this location?
- Are the proposed park other community benefits an acceptable compensation for the requested bonus density?
- Is the parkway concept an acceptable approach to providing access through the site?
- Are the Primary Access points and the concept for improvements to them acceptable?
- Is the conceptual layout of roads and driveways within the project acceptable?
- Is special treatment of Pine Road and Cedar Road needed to discourage pass-through traffic?
- Is the overall approach to the 20% open space acceptable? (Not including the community park area.)
- Is the incorporation of natural areas as open space acceptable?
- Is the proposal to include stormwater ponds as open space acceptable, if incorporated into park settings?
- Is the proposal to include drains as open space acceptable, if they are adjacent to other developed open spaces?

<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.

MINUTES OF THE CHURCHILL COUNTY PLANNING COMMISSION

Churchill County Fairgrounds
225 Sheckler Rd, Fallon, NV 89406
June 8, 2022

1. Call to Order:

The regular meeting of the Planning Commission was called to order at 7:05 p.m. on June 8, 2022 by Chair Arciniega, who allowed some extra time for others to get to the meeting due to the change in venue.

Present: Charlie Arciniega, Chair; Shane Yates, Vice Chair; Deanna Diehl, Member; Myles Getto, Member; Scott Nelson, Member; Paul Picotte, Member; and Zack Bunyard, Member.

Absent: None

Planning Staff Present:

Chris Spross, Public Works Director
Dean Patterson, Senior Planner
Diane Moyle, Administrative Assistant

Civil D.A. Staff Present:

Ben Shawcroft, Deputy District Attorney

Director Chris Spross apologized for the change in venue. He explained that these meetings are regularly scheduled every month, and it was an oversight that early voting would be in the Chambers. We worked to find another place to hold the meeting and notify everyone of this change. He further explained that the Planning Commission meetings are required to be recorded. This building is not equipped with microphones and speakers, and asked that presenters and commenters speak loudly so that everyone can hear. He pointed out the echo in the room and asked that if anyone needed to have a conversation amongst their group that is not part of the hearing, to please take it outside so that everyone else can hear the presenter or public comments.

Ben Shawcroft, Deputy District Attorney—Civil, noted for the record the things that were done to try to get the word out about the change in venue, including, Public Works and Planning Department sent out a new letter regarding the change to all the landowners that were notified regarding the applications to be heard at this meeting, signs were posted at the Chambers and around the County Administration Building entrances, and we started a few minutes late in order to give people time to still arrive for the meeting.

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 June 2, 2022, between 8:30 a.m. and 3:30 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:

Chair Arciniega asked for a motion for the agenda.

Member Getto moved to approve the agenda as submitted. Member Bunyard seconded the motion which carried by unanimous vote.

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

Chair Arciniega verified with the Administrative Assistant that notification was sent to all landowners in accordance with NRS and the Churchill County Code. It was noted that they received two (2) notifications, one of these included the change in venue.

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

Chair Arciniega asked for any changes to the minutes, and there were none.

A. May 11, 2022 Hearing

Member Yates moved to approve the May 11, 2022 minutes as written. Member Getto seconded the motion and the decision carried by unanimous vote.

8. Old Business:

- A. Consideration and possible action re: Renewal of a temporary use permit for general purposes that was granted to Donald Jr & Wylanta Keeling for property located at 5990 Kadee Court, Assessor's Parcel Number 008-572-01, in the E-1 zoning district. The permit allowed the use of an RV for an unrelated person to reside on the property, and requires renewal by the Planning Commission.

Donald Keeling, Jr, was in attendance to request a renewal of the permit since the person they are helping still hadn't found a place to live. Chair Arciniega noted that the commissioners reviewed his application about six months ago, and he was given six months for a person to reside in an RV on the property. Mr. Keeling stated that they moved the RV back into the back part of the property, got a placement permit for the RV for the power going to it. They don't have septic at the RV, so he hauls it to the Fallon RV Park to dump the tanks. The young lady living there was having some issues with Child Protective Services (CPS) regarding her children. That was resolved within the last two weeks. Now, she will be able to get another place to live, so while she is looking for another place, he is requesting to have the permit renewed. Don Keeling said that they have recently had some issues with the tank leaking. He is working to get it cleaned up and fixed. If the permit is approved again, this should be the last time he will request a renewal.

Chair Arciniega asked for any public comment regarding this request.

Loreli LeBaron, Code Compliance Official, remarked that she had performed an inspection the day before this meeting, and she found tanks leaking—the kitchen sink holding tank (photo displayed) and also where the black tank is located. She noted that Mr. Keeling relocated the RV and spread lime to neutralize the contamination. She said that Mr. Keeling has a plan to first correct the septic tank leak, and second to fix the sink tank, which will probably have to be replaced. Another thing that she thinks is important to address is that when she conducted the follow up inspection, in the left storage container on the RV a wire caught fire. He was quick to have it taken care of, but the wire is still exposed. As a result, she has asked that they not connect power to the RV until that is completely resolved. She understood that the woman and her children would be able to stay in the house until then. Don Keeling stated that it was the power wire that connected the RV to a truck for hauling that got pinched. He pointed out that it doesn't have anything to do with the plug for electricity from the house. Chair Arciniega inquired how long Mr. Keeling thought the woman and her children would be living in the house. Don Keeling responded that it wouldn't be

very long. She has two very small children, a one year old and a six month old. She is trying to get HUD (Housing & Urban Development) housing, and they planned on doing that right after getting the permit approved; however, if she were able to do that, it would restart the case again with CPS, which would then restart the time to get it resolved. Chair Arciniega questioned if she was searching in Fallon or in another place, and Mr. Keeling answered that it is in Fallon. Chair Arciniega pointed out that a condition for the permit was to move the RV to the west side of the house. Loreli LeBaron said that was done. Mr. Keeling stated that he did that; however, when there was a lot of rain, that area flooded, so they moved it to the back of the property again. Chair Arciniega asked if it meets all of the required setbacks, and Ms. LeBaron confirmed that it does. The other RV that is at the front of the property has had the pop-out retracted so that it is no longer in the setback.

There were no other public comments, so Chair Arciniega turned the discussion over to the commissioners.

Member Yates inquired about how long it usually takes to get through the housing process for HUD homes, and Mr. Keeling admitted that he has no clue about the time it takes.

Member Diehl asked about the connections to the RV and what is connected at this time. Don Keeling noted that there is nothing connected at the time of this meeting. He has power available, but the RV isn't connected to it. Member Diehl verified that the people that have been living in the RV were now in his home, and Mr. Keeling said that they stayed in his home the night before the meeting. The fire happened after they took the RV to dump it that evening, the woman's children had fallen asleep in the house, so instead of moving them, they stayed in his house. He plans to fix the wiring issue and the tank leaks that weekend, so that they could move back into the trailer. Member Diehl clarified that instead of the RV being hooked up to septic, they have been taking it to another location to dump it, and Mr. Keeling agreed.

Member Bunyard asked if this permit was for one year or six months, and Don Keeling said it was for six months. Member Bunyard then questioned if they were to renew it for another six months, would it be sufficient time for the woman to find another place to live. Mr. Keeling expressed his hope that it would be because he would like for them to be in a better situation than living on his property.

Member Bunyard moved to renew the temporary use permit for general purposes granted to Donald Jr & Wylanta Keeling at 5990 Kadee Court, Assessor's Parcel Number 008-572-01 for an additional six (6) months. Member Getto seconded the motion and the decision carried by unanimous vote.

B. Consideration and possible action re: Annual review of a special use permit granted to Paul Picotte and Ron Peterson for an outdoor event site for Farmer's Markets at 1150 Taylor Place, Assessor's Parcel Number 008-812-04, in the C-1 zoning district. The permit requires annual review by the Planning Commission to confirm conformance with the conditions of approval.

Paul Picotte recused himself from voting on this item since he is named on this permit. He shared that they have recently started holding the Farmer's Market events again this year. Chair Arciniega asked if Mr. Peterson was in attendance, and Mr. Picotte stated that Mr. Peterson is actually at the location at that time since there is an event going on at the same time as this meeting.

Chair Arciniega asked for any public comment regarding this request; there were none, so he turned the discussion over to the commissioners. Mr. Picotte was asked how things have been going, and he replied that they haven't had the turnout they were expecting on Wednesdays. They have had a maximum of about 10 vendors. It hasn't really increased traffic in the area, and they

don't have any bands playing there. It has been pretty low key and farmers can come there to sell their produce.

Member Diehl inquired if there is adequate parking for the traffic they do have. Paul Picotte stated that there is more than enough parking for the number of people that have been showing up over the last year. Member Diehl noted for the record that she went out there last year and it was very nice.

Director Spross reported that there were no complaints regarding these events or any traffic. Dean Patterson, Senior Planner, did mention some of the conditions for the permit including, public restrooms, making water available, and trash receptacles. He stated that Mr. Peterson told him that people are able to use The Grid (restaurant/bar owned by Mr. Picotte) for the restroom or something to drink. Paul Picotte confirmed this to be accurate. Mr. Patterson didn't notice any trash bins on the site that afternoon, so he asked that Mr. Picotte emphasize to Mr. Peterson to bring a trash receptacle. Due to the size of the event that he saw they may only need one at this time. If the events get bigger, they will need more.

Chair Arciniega questioned if they anticipate continuing throughout the season. Paul Picotte responded that they would continue through this growing season, and then they would see where it goes in the future. Chair Arciniega noted that this permit was approved last year requiring an annual review. We can continue to do that, or we can remove the requirement for an annual review. He called for a motion.

Member Getto moved to approve the special use permit renewal for an outdoor event site for Farmer's Markets granted to Paul Picotte and Ron Peterson at 1150 Taylor Place, Assessor's Parcel Number 008-812-04, and to continue the annual review for another year. Member Nelson seconded the motion and the decision carried by a vote of six (6) with one abstaining.

9. Public Hearings:

A. Consideration and possible action re: A variance application filed by Ashley Bowman and Jack & Pamela Kellerstrass for property located at 5555 Weaver Road, Assessor's Parcel Number 006-831-02, consisting of 5.48 acres in the A-10 zoning district. The applicants propose to reduce the non-conforming lot by 1 acre. Approval will allow them to file a boundary line adjustment map to move the property line, and thereby make this lot approximately 4.48 acres.

Jack Kellerstrass shared that he has about 25 acres next to the subject property. Ashley Bowman has about 5.4 acres, and they have been talking about the possibility of buying one acre of Ms. Bowman's property to add to his farmland as well as an area to keep cattle where she has an arena. Mr. Kellerstrass has water rights that he could use on the additional acreage. Chair Arciniega explained that this variance is for a non-conforming lot in the A-10 zoning district. He noted that Ashley Bowman's lot right now is about 5.4 acres, and Ms. Bowman agreed. Chair Arciniega further pointed out that by selling 1.0 acre to Mr. Kellerstrass it would be about 4.4 acres.

Chair Arciniega asked for any public comment; there were none. Therefore, he turned the discussion over to the commissioners.

Member Bunyard questioned if the lot line adjustment would just square up the property on that side, and it was clarified that it would. He pointed out that this parcel is already less than the 10 acre minimum required, and this would just reduce it a little more. Director Spross agreed that it would be 1.0 acre. It is already non-conforming at 5.4 acres, and it would remain non-conforming

with 1.0 acre less. Dean Patterson noted that the Planning Commission periodically approves variances to split off the farmstead from a larger farm, and this is a case that happened many years ago when the farmstead was split off and is less than 6.0 acres. They are proposing to adjust the situation that has already happened.

Chair Arciniega brought up that there are some conditions recommended for this variance, and he asked if they have looked at those and are okay with them. Dean Patterson said that the staff report was sent with a letter about this meeting that was mailed the previous week. He restated that the minimum lot size for the small lot will be approximately 4.5 acres; the variance expires in a year, so they will need to get the boundary line adjustment into the department; and compliance with county code. Mr. Kellerstrass stated that he would just have Lumos start on the survey of her property and prepare the map. He asked to confirm that he just needs to get that survey completed, and Dean Patterson verified that the map showing the changes in boundaries would need to be submitted to the department within the year for approval, and then it could be recorded.

Member Diehl inquired if Ms. Bowman had any issues with this and if she was satisfied with this arrangement. Ashley Bowman confirmed that she is. She said that the home is very old, hasn't had a lot of maintenance done on it in a long time, so this would help everyone involved. Member Diehl wanted to make sure that both parties were in agreement with this.

Chair Arciniega 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 findings have been met for conformance with the criteria found in in CCC 16.08.090(F) regarding a Variance from the minimum parcel size on APN 006-831-02, as described in the Staff Report. Member Getto seconded the motion and the decision carried by unanimous vote.

Member Yates, based on the previously adopted findings made for this project, moved to approve the request for Variance to reduce the minimum parcel size requirements in CCC 16.16.020.1 for Kevin and Shelley Hancock on 5555 Weaver Road (APN 006-831-02). This approval is subject to conditions, as listed in the Staff Report. Member Getto seconded the motion and the decision carried by unanimous vote.

Recommended Conditions:

- 1. The approved minimum lot size for the Hancock property shall be approximately 4.5 acres.*
- 2. The approval of this variance expires one year from the date of the final decision, subject to any allowed requests for deadline extension in County Code. A Boundary Line Adjustment application for the new lot configuration must be submitted before expiration.*
- 3. Compliance with Churchill County Code.*

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

- B. Consideration and possible action re: A special use permit application for an animal boarding and kennel facility for Fallon Animal Welfare Group (FAWG) filed by James Sterling representing FAWG and Patricia McKeown for property located at 6305 Lakeview Drive,

Assessor's Parcel Number 008-113-28, consisting of 5.01 acres in the A-5 zoning district. The applicants request to continue the use of the feline kennel that currently exists on the property.

Brenda Utterback, President of FAWG; James Sterling, representing FAWG; and Patricia McKeown, landowner, were in attendance for the application. Mr. Sterling informed that they were made aware that a special use permit was required for the structure located on this property where they keep rescued feral cats. This is an enclosed structure inside of a fenced area. There is a small sign on the fence identifying it as Fallon Animal Welfare Group feral cat enclosure. Brenda Utterback stated that she was very surprised when she was contacted by the county regarding this. She tries very hard to do everything lawfully. She asked if anyone has messed with a feral cat, and there were a few responses. Mrs. Utterback pointed out that this is not an easy job, and nobody volunteers for taking care of these types of cats. They find people who need a feral cat for barns to help get rid of mice, rodents, snakes, etc. She explained that she doesn't consider this a kennel. They use this as a small holding facility until they can find jobs for them. There are people all over northern Nevada that are looking for these cats, and when someone contacts them, they go to this facility to pick up cats to choose from and take them to the facility on the Reno Highway, where they have a special use permit for their non-profit business (adoptions of domesticated cats and farm jobs for feral cats) and fund raising events. The only thing that is done at this location is housing and feeding the cats that come in. They go to the animal control building and rescue cats that no one wants to keep them from being euthanized. It was noted that before FAWG, animal control was euthanizing over 200 cats per year. They pick up all of the cats, get their shots, and have them spayed/neutered. Since January 2022 she has placed 150 cats. This is hard.

James Sterling mentioned that the facility on Lakeview Drive is more like a processing center. The cats go into the enclosure, they're treated and vaccinated, and held there awaiting rehoming. He shared some photographs of the facility that were shared on the screen. The public is not made aware of this location, and it is not advertised. The public does not go to this property. All of their operations with the public are done at the little blue shack next to Fallon Floors on the Reno Highway. He commended the ladies that volunteer for this group and talked about how remarkable they are to provide this service. Nobody wants to put down an animal just because you can't find a home for it. Oftentimes, these cats are pets that were abandoned because of a move, or because they aren't allowed where a person rents, and they are put out to fend for themselves. This is such a valuable service to the City of Fallon. They provide felines for farms and ranches and are able to find new homes for others.

Patricia McKeown stated that it is important to keep the rat and mice population down because they carry the Hantavirus that can be transmitted to humans. The cats help with this problem. Mr. Sterling brought up that this group is 100% volunteer and 100% non-profit. They receive donations and hold fundraisers to pay for the food, vet bills, etc. Dean Patterson, Senior Planner, asked Mr. Sterling to explain some of the pictures of the facility, including the sign, so that it can be officially part of the application. Brenda Utterback said that there are two signs right now, and there will be more in the future to include no trespassing and warning signs. She further explained that there was a donation to pay for the facility and so they included the name of the donor on the sign that designates the use to FAWG. Dean Patterson asked about the size of the sign. It is about 2 feet by 4 feet and then a smaller one that is about 1.5 feet sign. Mr. Sterling reported that he took photos to show how it is designed to provide the mother cats and kittens protection from the more feral cats. The building is insulated and is climate controlled—warm in the winter and cool in the summer. The cats also have access to the outside and there are things set up for them to climb on, trees to lay under, and so forth. They keep things clean and dispose of the feces in

double plastic bags that are put into a garbage can, and there is a man that takes it and uses it around his garden.

Chair Arciniega asked for any public comments. Jim Barbee, County Manager, noted that the County Commissioners have supported this program through sponsorship programs for at least the last four years that has been with the county. It is a unique service that is being provided that benefits both the county and the city.

Debbie Hunter remarked that Humboldt County and the City of Winnemucca came forward to take care of the felines in regards to the trap, neuter and return program. It has been really hard for them to do everything that they wanted to do with these cats due to financing; however, with the communities' help they have developed some successful programs. She handed out some paperwork showing the support they receive and a flyer they have for the barn cats. Mrs. Hunter thought it would be nice if Churchill County and the City of Fallon could go together and do something like Winnemucca and Humboldt did. Brenda Utterback noted that they have also helped Churchill Animal Protection Society (CAPS) out by taking some feral cats that they had. They have set up outside of Walmart to ask for donations of food or money, and they could use more of that as well as volunteers.

Carol Arciniega shared that FAWG came to her father's ranch where they had feral cats that they could not remove, and the volunteers were able to trap them in a very humane way. She said that her family was very grateful to them for doing this.

Donna Lewis, a neighbor of Patricia McKeown, said that they have no problem with this facility. There has been no problem with the cats and there is no smell or odor issues.

Chair Arciniega turned the discussion over to the commissioners.

Member Diehl inquired about the number of cats that they house there. Brenda Utterback said that it varies. She gave an example of having 25 female cats at this location, and each one of those could give birth to seven kittens. You will end up with 165-175 cats. They don't believe in abortions. It if deals with the cat's health, that is a different matter. The population varies anywhere from about 20 to 50 cats at a time. Member Diehl asked if they had a business license, and Diane Moyle, Administrative Assistant, stated that FAWG does have a non-profit business license because they already have the location on the Reno Highway. Member Diehl questioned if they have a restroom available, and Mrs. Utterback said that they purchased one to keep at the Reno Highway location for the fundraiser events and adoptions done at that location, and this is pumped every month. The public does not go to the Lakeview Drive location. Member Diehl asked if they got all of the building permits, and it was stated that they did. Member Diehl expressed her opinion that this is a wonderful endeavor because she lives in the country and has had a lot of little cats dropped off around her. She is glad that she now knows someone to call when this happens to pick up those cats.

Brenda Utterback said that Churchill County donated \$2,000 to them; however, between the special use permits, they have already had to pay \$700 of that to the county for the permits.

Chair Arciniega 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 findings have been met for conformance with the criteria found in CCC 16.08.080(H) on APN 008-113-28, as described in the Staff Report. Member Getto seconded the motion and the decision carried by unanimous vote.

Member Bunyard, based on the previously adopted findings made for this project, moved to approve the special use permit application for the Fallon Animal Welfare Group to operate a cat kennel at 6305 Lakeview Drive (APN 008-113-28). This approval is subject to conditions, as listed in the Staff Report. Member Nelson seconded the motion and the decision carried by unanimous vote.

Recommended Conditions:

1. *Approval of the Animal Kennel is limited to the following. Exceeding these limits will require a new SUP:*
 - a. *The Patricia McKeown & the Fallon Animal Welfare Group shall be the operator, and this permit is not transferable.*
 - b. *Customers/clients are not allowed to visit the site.*
 - c. *The number of animals shall be limited to 25.*
 - d. *Outdoor lighting, road signage, and outdoor storage is not allowed.*
 - e. *This kennel shall only be used house cats. Other animals, and activities such as training classes are not allowed.*
2. *The project must be in conformance with County Code, including but not limited to:*
 - a. *A business license must be obtained and maintained.*
 - b. *All necessary building permits must be obtained.*
 - c. *Restrooms must be provided as required by state law and County Code, as described in the staff report.*
3. *Operations shall be conducted in a manner that does not create a nuisance (public or private) under Nevada law or Churchill County Code.*
4. *Animal waste will be cleaned daily both in cat boxes and in the yard.*

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

- C. Consideration and possible action re: A special use permit application for a waste collection service filed by Sheldon & Camille McKnight for A-1 Septic and Handyman on property located at 5011 Reno Highway, Assessor's Parcel Number 008-492-05, consisting of 1.1 acres in the C-2 zoning district. The applicants propose to operate A-1 Septic and Handyman from this property, which was the previous location of A-1 Septic under different ownership.

Sheldon and Camille McKnight, applicants, as well as Sherilyn McCarter, one of the property owners, were available for questions. Sheldon McKnight shared that he wanted to start a business called A-1 Septic and Handyman. They filed for a special use permit, so that they could conduct the business on this site. They vacuum out septic tanks, use cameras to check septic lines, and help to clear septic systems. He wants to provide this service to the community. Chair Arciniega verified that they want to operate a septic pumping and dumping business from this property, and he will not be storing any of that effluent on the property. Mr. McKnight noted that he has already spoken with Terry Webb, who is permitted to have sewage applied to his farmland. He stated that they would go there to dump every day. Sometimes, if he has a call late in the day or at night, he might have to hold it in the truck until the next morning when he can take it to Webb Ranch. Member Nelson interjected that it would remain sealed inside the truck if that were the case, and Mr. McKnight agreed.

Chair Arciniega questioned if we have had any contact regarding this application. Dean Patterson, Senior Planner, responded that we have not received any letters of complaint or phone calls of complaint. He further said that Nevada Department of Environmental Protection (NDEP), Wastewater Management, contacted him to inform that the McKnights will need an individual permit if they are going to disposing at a land application site. Mr. Webb where they plan to be dumping the effluent has a special use permit and the state septage disposal site permits and has had these for a long time. Then whoever uses his site must have an individual permit. Mr. Patterson said that he let the McKnights know about that before the meeting. Sheldon McKnight stated that Terry Webb had told him that as soon as the special use permit is approved, he would help Mr. McKnight apply for the NDEP permit.

Chair Arciniega asked for any public comment; there were none. Therefore, he turned the discussion over to the commissioners.

Member Bunyard remarked that the McKnights are basically reopening a business that previously did this same type of thing from this location, and Diane Moyle, Administrative Assistant, interjected that the previous business owner operated a pre-existing, nonconforming business at this location. They had operated that business for decades before the current regulations were implemented.

Member Diehl inquired if they have obtained a business license, and Sheldon McKnight responded that they are here to get the special use permit that would allow them to be able to apply for the license. Mrs. Moyle shared that the land use must be approved before they can complete the business license. Member Diehl verified with Mr. McKnight that he is aware of the requirement and will comply, and he agreed. There was discussion about other permits as well, and Mr. McKnight confirmed that he would comply with all of the regulations for this business. This lot is basically a place for him to park the truck, and there are already buildings on it. If he will construct anything else on the property, he will obtain the building permits needed. Member Diehl questioned if he would have any outdoor storage, and Mr. McKnight replied that he would not. Member Diehl inquired about any plans for lighting. Sheldon McKnight stated that right now there is existing lighting for a sign that does work, and he believes that Dean Patterson has approved that lighting. Mr. Patterson agreed that the pole sign has been preapproved. He just needs to swap out the face. He further informed that Mr. McKnight had cleaned up some of the other movable signs that were really not allowed for advertising. He said that he and Mr. McKnight have already discussed permits required for other signs he would like to have. Dean Patterson then pointed out that there is a very large Truckee Carson Irrigation District (TCID) irrigation easement on the east side of the property, which takes up about a third of the property. Structures are not allowed in the easement, so the shed on that side will need to be shifted to be outside of the easement. There was discussion and the property owner said that has been moved over. Member Diehl asked about the plan to clean the trucks, and Sheldon McKnight responded that he plans to clean the outside of the truck at a car wash. He will make sure to empty the truck and get everything cleaned from the inside when he dumps at Webb Ranch. There was discussion about storage, and Dean Patterson reiterated that any storage that is outside of a building will need to be visually screened like with a slatted fence. The property is already split into two sections by a slatted fence, so he may be able to put things in the back half of the property.

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

Member Bunyard, based on the information provided in the application, in the staff report, and heard tonight, moved that the findings have been met for

conformance with the criteria found in CCC 16.08.080(H) on APN 008-492-05, as described in the Staff Report. Member Yates seconded the motion and the decision carried by unanimous vote.

Member Getto, based on the previously adopted findings made for this project, moved to approve the Special Use Permit application for A-1 Septic to establish a Waste Collection Service at 5011 Reno Highway (APN 008-492-05). This approval is subject to conditions, as listed in the Staff Report. Member Yates seconded the motion and the decision carried by unanimous vote.

Recommended Conditions:

1. *This permit is only for septic waste collection. Other activities will require a separate SUP.*
2. *The entire business must be in conformance with County Code, including but not limited to:*
 - a. *A business license must be maintained.*
 - b. *All necessary building permits must be obtained, including items discussed in the staff report.*
 - c. *Necessary modifications to meet lighting, signage, and outdoor storage and other code requirements discussed in the staff report. If requirements cannot be met, the applicant may submit a Variance application.*
3. *The entire business shall be operated in a sanitary and clean manner, including but not limited to:*
 - a. *Waste collection trucks must be emptied at an approved disposal site before returning to the business site, with the exception that trucks returning after a night-time service call must be emptied the next day.*
 - b. *Septic trucks shall be kept in a sanitary and clean condition. Waste handling equipment shall be maintained in a condition to prevent leaks.*
 - c. *Any spills that occur on site must be cleaned immediately. Contaminated soils must be removed and replaced, including gravel surfacing for dust control.*
4. *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.*
5. *All required NDOT access permits and authorizations must be obtained. All access changes or improvements required by NDOT must be installed.*
6. *All state and/or federal permits required for this type of business shall be obtained and maintained.*

Chair Arciniega thanked the applicant and advised that there is a ten-day appeal period and to contact the department for further permitting procedures. He also encouraged the applicant to read and understand the conditions that were included in the staff report for this approval.

D. Consideration and possible action re: A special use permit application for a home based heating, air conditioning, and plumbing business filed by Dustin Galdarisi on property located at 4375 Sheckler Road, Assessor's Parcel Number 006-231-71, consisting of 5.33 acres in the A-5 zoning district. The applicant proposes to expand the existing home business to allow material storage, additional business vehicles, and employees coming to this parcel, which exceeds the limits for a standard home business.

Dustin Galdarisi said that he opened a heating and air conditioning business, and he has

since obtained his plumbing license. The business has grown. He further explained that along with many other problems in the world right now he has trouble getting materials for jobs in a timely manner, so when he can he orders a lot to have on hand for other jobs coming up. These materials are delivered by a semi-truck and trailer and unloaded at his residence where he operates his home based business. He shared that he places the material under the overhang from his shop. His employees go by his home to pick up materials they need for the jobs that day. Chair Arciniega verified that he has an existing home based business, and Mr. Galdarisi confirmed this to be accurate. Chair Arciniega then commented that he wants to expand upon that. Chair Arciniega noted that with a regular home based business employees that are not family members are not to work on the property and you cannot have multiple work vehicles on the property. Mr. Galdarisi responded that he complied with all of that. The employees take the vehicles to their homes. He said that the only thing that he was made aware of recently was the storage of materials, but he keeps all of that under the covered area or in his shop.

Chair Arciniega asked for any public comment. Director Chris Spross shared that the department received a letter in opposition of approval of this permit. Mr. Galdarisi asked if this letter was from a neighbor, and the name and address on the letter was shared with him. Chris Spross concurred that it is in the vicinity of this property. Diane Moyle, Administrative Assistant, informed that a copy of the letter should have been in the packets for the commissioners.

Grant Mills, 4545 Sheckler Road, came forward to state that he knows the history of this property and how it had been used over that time for other commercial operations. He is very much in favor of this application and sees no conflict with other uses in the neighborhood. He doesn't feel that it is out of character in this area.

Director Spross noted for clarification that this item came up as a result of a complaint regarding large trucks driving in and out of the property to drop off materials, so that is why the department contacted Mr. Galdarisi. During discussions with him it was found that the outside storage of materials and having employees come to the residence to pick up materials for performing work for the business were violations of the home based business permit and requires that he obtain a home based business special use permit. These activities increase the traffic to and from this location for the business.

Camilo Gonzalez inquired if this was a twenty-four hour per day business, and Mr. Galdarisi responded in the negative. It was stated that there are regular business hours, and right now Mr. Galdarisi has the employees working four ten-hour days per week. There are only emergency hours from Friday through Sunday. He also owns Jiffy O's Rooter Service. This business is operated twenty-four hours per day for emergency services. That business is based from an office in town. Those employees do not conduct business from his residence. Mr. Gonzalez asked if Western Nevada goes to his property, and Mr. Galdarisi stated that Western Nevada delivers products to his property, and those items were for a job that he got in Lovelock. Dustin Galdarisi reported that he tries to limit his deliveries to once per week. This is his personal residence, and he tries to minimize the number of people coming to his house as much as possible.

Dean Patterson, Senior Planner, wanted to clarify the differences in scale of businesses. With a home business it is allowed as something that is not normally noticeable to neighbors, which is a basic home based business that doesn't require a special use permit. Mr. Galdarisi obtained the business license through this type of use about a year ago. Once a business exceeds, or goes outside the bounds of that basic home business, as Chris Spross described a couple of the conditions, that is when you need a special use permit, which is what Mr. Galdarisi is applying for at this meeting. The home business approval is kind of a business incubator type of approach for the county. We've been

successful in having some well known home businesses that have succeeded and graduated to the big times. He is glad that Mr. Galdarisi is becoming successful. The difference is that a full blown business is not allowed in residential zones, and so, eventually, the idea is for home businesses to graduate and move to a commercial area. He gave the example of Tony Taylor, who had a machining company that became very successful, and he moved to Grand Avenue. Big Mike's Guns and Ammo, who was on the agenda last month, is another home business that became very successful and opened a commercial operation on the Reno Highway. Dean Patterson noted that in the staff report we describe the requirements for home businesses, and one of their recommendations is that this successful home business be approved for a specific period of time in which to let Mr. Galdarisi find a good spot to move into a commercial area. No specific time period was recommended, so it is up to the commissioners to determine that. Dustin Galdarisi remarked that he does have the full intent to move the business out of his house. Chair Arciniega inquired if Mr. Galdarisi has explored the possibility of moving to a commercial location, and Dustin Galdarisi informed that there are a few places that he has been considering. He said that he is very hesitant to make a final decision at this time and if he is forced to, he will work harder on that, but he would like a little more time. There was discussion between Mr. Galdarisi and commissioners regarding how long he would be comfortable with in finding another location in a commercial zone, and Dustin Galdarisi stated that he would like to have two years. He hopes that he can sustain the growth of his business and find a location in a year or a year and a half. He is just conscious of the instability of the economy right now, as well as access to materials.

Member Diehl ensured that Mr. Galdarisi understood that this application only applies to the construction/contractor services business that he operates currently and not for the addition of anything else to that, and Dustin Galdarisi said that he only runs his heating, air conditioning, and plumbing business from the residence right now. Member Diehl asked if he has all of his licenses, and Mr. Galdarisi responded that he has all of the state and local licenses that he is required to have.

Member Picotte inquired about the property of the person that submitted a letter and if the traffic for this location goes by their residence. It was mentioned that this is on Sheckler Road, and Dustin Galdarisi said that there is very little traffic to his property compared to other properties in the area. He said that his neighbors have more traffic coming and going than he does even with his employees. Member Picotte asked if there was a possibility of locating this business where he has his other business office. Dustin Galdarisi remarked that there isn't because it is just an office in a building with no room for storage of materials and supplies.

Member Bunyard questioned how many employees he has now, and Mr. Galdarisi informed that there eight right now. Member Bunyard reiterated what Dean Patterson was indicating that when a small home based business gets to a certain point that they can have this many employees, they should consider obtaining a commercial location to operate that business.

Discussion recommenced about moving to a commercial location, the time needed, and if he has started looking. Mr. Galdarisi stated that he has been talking to some people about some locations that he might be interested in, he would be more comfortable with a two year timeframe, and he wants to make sure that the growth of his business is sustainable. Ben Shawcroft, Deputy District Attorney-Civil, mentioned another option for the commission is to set a review of the permit instead of naming a specific timeframe to see how it is going and whether or not there have been more complaints from neighbors and so forth.

Chair Arciniega asked for any further comments; there being none he called for a motion after some discussion on how to include the review within the motion.

Member Nelson, based on the information provided in the application, in the staff report, and heard tonight, moved that the findings have been met for conformance with the criteria found in CCC 16.08.080(H) on APN 006-231-71, as described in the Staff Report and with the recommendation added for a review in two (2) years. Member Bunyard seconded the motion and the decision carried by unanimous vote.

Member Bunyard, based on the previously adopted findings made for this project, moved to approve the special use permit application to establish a Home-Based Business for an HVAC and Plumbing contractor at 4375 Sheckler Road (APN 006-231-71). This approval is subject to conditions, as listed in the Staff Report with the addition of a review in two (2) years. Member Getto seconded the motion and the decision carried by a unanimous vote.

Recommended Conditions:

1. *Approval of the Home-Based Business is limited to:*
 - a. *Operation only by Dustin Galdarisi. Approval is not transferrable to another location or operator.*
 - b. *This approval is for the proposed construction contractor services. Adding other activities, such as concrete services, general contractor services, etc. is prohibited.*
 - c. *Requires a review of the permit by the Planning Commission in two (2) years.*
 - d. *Five (5) additional employees are authorized.*
 - e. *Five (5) additional business vehicles are authorized, but must be stored at employee homes.*
 - f. *Visits by customers are not allowed.*
2. *The project must be in conformance with County Code, including but not limited to:*
 - a. *Screened outside storage requirements.*
 - b. *No signage has been approved.*
 - c. *A business license must be obtained and maintained.*
 - d. *Any necessary building permits must be obtained.*
3. *All required state/federal permits, approvals, and inspections for the business must be obtained and maintained, including a contractor's license.*
4. *Operations shall be conducted in a manner that do not create a nuisance (public or private) under Nevada law or Churchill County Code.*

Chair Arciniega thanked the applicant, asked him to make sure he understands the recommended conditions that were in the staff report, and advised that there is a ten-day appeal period and to contact the department for further permitting procedures. Director Chris Spross informed Mr. Galdarisi that if he does find a commercial location, he will need to contact the department so that he can obtain a special use permit for the new location.

- E. Consideration and possible action re: A zone change application to request a change of zoning filed by Churchill County for property located on Coleman Road, Assessor's Parcel Numbers 008-301-11 and 008-301-12, consisting of 5.20 acres and 26.21 acres respectively in the E-1 and R-1 zoning districts respectively. The applicant requests a zone change to R-3 on both parcels.

Jim Barbee, County Manager, stated that the county purchased the larger parcel in about

2019 from the US Fish & Wildlife that had stripped the surface water rights from the agricultural land to put onto the Wildlife Refuge, and the other property was about a year after that. When the property on the right in the picture displayed on the screen came up for sale, a proposal was submitted to the County Commissioners to purchase it specifically for the use of multi-family housing, and the commissioners concurred. They also looked at the smaller parcel relative to the potential future roadway that would create greater connectivity north and south in the county because we are pretty limited across those area due to the ditches and such. This would not only help with traffic for other future developments, but would also give us the opportunity to have quicker response times for emergency management side of things. A large part of these decisions were based on a previous housing study that was done in 2019. “A major finding of this report is the lack of multi-family (apartment) product, including: Churchill County’s imbalance of multi-family units compared to the other residential types, low vacancy levels for rental products, few new multi-family projects, and home affordability issues.” [Page 7, Housing Needs Assessment-Churchill County, Nevada, by EKAY Economic Consultants.] He pointed out that this is something that they spoke about previously at the County Commissioners’ meeting. There is a supply and demand issue that we have here, and a lot of that is impacted specifically by the Naval Air Station (NAS) – Fallon. Mr. Barbee noted that when he came to the county in 2018 there was already basically an upside down balance between supply and demand related to housing, and with the expansion of the F-35 platform, the Navy is estimating an increase of about 1,500 jobs. There are other businesses that are expanding in Churchill County as well as growth at the Tahoe-Reno Industrial Center. Ultimately, he thinks that the Commissioners have a strong feeling that if you are making a living and providing for your family, then you ought to have the opportunity to reside in this community. This is one of the tasks that he was given when he got the job as County Manager because they were looking at how they can expand housing, and especially multi-family housing. He invited Tom Ernst with Vertex Homes to come forward. This is the developer that the County has entered an agreement with for this project. Mr. Ernst was asked to share a little of their vision for developing this area.

Tom Ernst, Vertex Homes, shared a presentation (see attached). This company is a builder out of Denver, Colorado. They are a group of seasoned real estate professionals. There are four of them that have started Vertex Nevada, and they would form Vertex Coleman Road LLC for this project. He noted that they also have projects in Fernley, Nevada, as well as other projects they have been involved with. They also handle investment banking. Mr. Ernst brought up that there are ups and downs in every industry, and related to real estate when things are going up you do the best you can to provide for the need that exists. They look at many things, including, demographics and drivers, so that they can weather things and remain here to continue to invest their money through rain or shine.

The way that they develop their community is by thinking about the people first in order to have a successful development. There are so many aspects that should be considered in order to be a reputable builder and it will not attract the desired residents. They want to provide more upscale accommodations, but it wouldn’t be considered luxury. They also want to have an experienced based environment—how will the people get around within the development and what types of things will they be able to see and do.

Tom Ernst stated that they have done a lot of research in northwestern Nevada, and they have seen Reno, Sparks, and Fernley. They like the country and small-town feel, and they want to preserve that. He said that he comes from a small town in Colorado and served on the Planning Commission there. He said that there is a lot to consider when it comes to growth. If you don’t

grow, you will not be a multi-generational town. It is not just the Navy, it isn't just the people working for the Navy, or the people starting new businesses. It is about a new generation, and if your kids cannot go and buy a house or rent a home, then they will leave the area to find this. We know that we need to grow at some level. Things have not really grown here, so they look at this as an opportunity to help grow—moderate, sustainable, and health growth.

This is going to be a large development and is in a perfect area. There is the canal behind it and Coleman Road in front of it, and it would provide a connector in the area that has been designated for urban development. They like this site, and it would go well with what they want to provide. At the river, they plan to do some type of take-out, where people could float down the river from another location and get out of the river at this development. He shared some ideas of what the housing, parking, and other amenities could look like. He pointed out that they are not the applicant on the request that is before the Planning Commission; however, they are here as a courtesy to the County, who is requesting a zone change for these parcels that they are excited about developing. Once they have acquired the land and come up with a plan, they will submit an application with all of the details, connectivity, streets, sewer and water. Tom Ernst remarked how well thought out our Master Plan is, and it was easy to understand. He informed that the development has to be viable for them to risk money to provide this product in hopes of alleviating some of the housing needs.

Another area that Mr. Ernst noted was the sustainable job growth in our community. Many areas of the world have growth, but it may not be sustainable. Here there is a mix of industries, and they've looked at the demographics to see that things are sustainable. This growth isn't considered hyper-growth, but sustainable growth, which makes things more comfortable for an investor to invest in a project like this. There are also reasonable land values here. They have to be able to buy land at a reasonable price in order to make money in the real estate development world. In Reno and Sparks the land prices are unattainable and things are out of balance. Here things are still in balance.

Tom Ernst noted that infrastructure availability is important to any development. Infrastructure is within reach of this area, and they would just have to connect to the major components and run it through their project. This will also provide better service to those living in this area and fits within the Master Plan objectives. He said that they want to have a good public relationship, and they have worked very closely with Churchill County and a little with NAS Fallon. They plan to work with the Navy more to learn their demographics as well. He pointed out that they are under contract with the County and are moving forward with design at this time in hopes that the zone change is approved. They have been working with their engineers and have an idea of the type of product that is needed. They know rural communities very well, and they don't want to have a regular singular apartment building. They would like to create several multi-family units that are connected like those in the drawings shown in the presentation. He mentioned that they are typically two-story buildings, but they may have some three-story buildings within the internal areas of the complex. They want them to be aesthetically pleasing. He demonstrated on the concept drawn map where there would be walking paths, open space areas, river take-out, gym and wellness center, as well as other amenities. A traffic study will be conducted while they are finalizing the plans and design of this area, which will assist them in planning the traffic flow into and out of the development, as well as within the development. They would like to see construction and rentals completed within two years when it usually takes three years.

Jim Barbee reiterated that their application at this time is for a zoning change on the two parcels. As Tom Ernst stated this is a separate process to their development ideas. They would bring their project forward in future meetings and hearings that will give the public and the County a chance to share their ideas and concerns on the development of the property. He shared that this

request is in line with the Master Plan as it is part of the area that has been designated for urbanizing. He noted that in this northwest quadrant outside the city limits there are multiple planned unit developments that are immediately to the north of this property. Also, the Master Plan encourages higher densities and multi-family land uses that connect to the County's water and sewer system. Obviously, that creates greater efficiency and lower water usage. The Master Plan recognizes the housing shortage, particularly in the rental markets, and encourages this type of land use. Higher density housing is encouraged near water and sewer infrastructure, which will reduce the cost of expanding those systems. This is directly down Coleman Road from the Onda Verde development, which is already connected to the infrastructure. There would be no impact upon the existing surrounding land uses regarding their wells and septic systems as this development would be connected to the existing County water and sewer systems. Water and sewer mains are just down the street, and they do have sufficient water and sewer capacity for this project. It has already been reviewed and identified by the Public Works Director. Traffic studies that were previously mentioned will not be established or done at this time; it would be done at the time that the development is brought forward. What was presented is an idea or a vision that they would like to capture in the quality of the product that the County wants to see happen in this location, but that will have to be revised as the engineers work through the process.

Regarding compatibility with the surrounding areas, Jim Barbee noted that the lands surrounding this area is already planned for urban-like development. Approximately, one-quarter of a mile to the west is a high density single family housing division, one hundred yards to the east is the border with the City of Fallon where single family housing development is currently being constructed nearby in the city—basically 300-400 yards across the V Line canal and it is moving quickly in the direction of this property. There is also a large single family housing development has been proposed to the northeast of these parcels. It is currently on the record as a planned unit development for 618 homes, and further up Moody Lane is the Sky Ranch development, which is proposed as over 2,000 houses. The property directly across Coleman Road and the V Line canal is already zoned as R-2, and as of a month ago the R-2 would have been a larger multi-family per acre impact than it is currently because the Board adopted the regulation change to create limits within the R-2 and new R-3 zoning districts.

Chair Arciniega asked for any public comment.

Camilo Gonzales stated that he lives on this road, and his mother has lived there since 1959. He has seen the traffic on this road increase. He heard the gentleman talk about a traffic study, but the traffic that is already there is horrible. Since the Onda Verde subdivision came in the traffic has increased three times what it was previously. People are not abiding by the 35 miles per hour speed limit set for that road. He also pointed out that the noise of the excess traffic is also horrible. He noted that there has already been an incident with the railroad crossing at the end of Coleman near Reno Highway. He suggested that this is another consideration that should be made in relation to traffic on this road. The situation is it currently is with the noise and excessive traffic on Coleman Road is already bad and development of this area with a lot more residences will only make it worse.

Lisa Gonzales inquired about a buffer zone that was mentioned in the presentation and whether it would just be for that development or if it would include everyone down Coleman Road. Chairman Arciniega stated that at this time we are only talking about a zone change. Mrs. Gonzales noted that the change in zoning would allow up to 16 units per acre, and that will be a lot of traffic down the road that they live on. She then mentioned who would be responsible for cleaning up the graffiti and trash that will get worse in that area. She has seen the people that have come into town

up until now, and there is a lot of trash on the side of the road. This is not going to improve it. The people that are coming into town are not good. They are not country oriented. She asked if those that live in the country would want this subdivision down the road they live on.

Chair Arciniega asked for any other public comment, and there being none, he asked if Mr. Ernst wanted to answer any of the concerns that were raised about traffic or buffering. Jim Barbee responded that they don't have answers at this time because there is no idea of what this project will ultimately look like. It will go through a public process and will be in front of the residents again. They are here today specifically asking for a zone change, and all of those details relative to how the traffic will be dealt with, whether Coleman Road would need to be widened or expanded, and what the impacts would be of a three lane north-south connector between Moody and Coleman—nothing exists currently, but it is part of the long term plan. They would also be looking at how it would affect emergency response times. The application right now is specifically related to a zone change on these properties. He could not provide answers to things that we don't know yet.

Member Nelson inquired what his thoughts are regarding Coleman Road. Jim Barbee replied that he is not an engineer and would have to defer this to someone that is one for that answer. He shared that some of the existing plans that have already been approved and exist to the north are still waiting on traffic studies because they haven't engaged in the process far enough to get the traffic issues figured out. Currently, to the north of these properties is a planned development with about 700 single family homes and then the larger development north of that off Moody Lane will require expansions in roadways from that whole region/area. These developments are in these areas because this is the area that was identified in the Master Plan for expansion and urbanization as a method of protecting agriculture in other areas of the community. There will have to be a lot more infrastructure. In this case, he assumes there will need to be some type of widening of Coleman Road, deceleration lane for traffic entering the development. Again, this will depend upon the final product that will be proposed for this area, which will involve a lot of public meetings and hearings before a decision would be made. Member Nelson expressed his concern regarding widening of Coleman Road due to the TCID structures and private property that make it seem very difficult to accomplish. Jim Barbee responded that there have been some preliminary conversations with the Public Works Committee related to Coleman Road, and we wouldn't be here if we didn't think that it were achievable. Clearly, we are not going to waste everyone's time for something like that. He pointed out that this location is in closer proximity to an intersection that does have a traffic light and is going to the west for the major portion of traffic that may impact this area, who may travel out on Highway 50 for work or going to where a large area of shopping is located. He noted again that we need to at some point try to address the needs of the housing deficit that we have in our community that is only going to get worse without growth and development. He believes that this area falls within the guidelines of the Master Plan.

Member Bunyard questioned why the county is asking for the zone change on these properties instead of having the developer request this as part of their plan, and Ben Shawcroft answered that this is a condition of the contract with the developer regarding the sale of the property. Jim Barbee noted that this will be the first modern apartment complex that the community has had in a long time. We see this as a benefit not only on the housing side, but also on the public side. One of the things that was mentioned is having a location that is open to the public for folks to exit the river. There are a lot of people that like to float down the river during the summer months. He pointed out that the county also owns some property along the river on the end of Sheckler that they would like to develop as public access as an entry point to the river to correspond with the access point to exit the river. There was discussion regarding the difference in number of units per

acre allowed under the current zoning versus the requested zoning as well as the additional requirements for bonus density related to a planned unit development. Member Getto calculated that under the R-3 zoning as he understands it to be 16 units per acre would be 502 units maximum and under R-2 would be 330 units. Dean Patterson said that he hasn't done the math calculations, but he will trust what was reported by Member Getto. Mr. Patterson then reiterated what Jim Barbee pointed out that based upon the previous regulation related to R-2 zoning there was no maximum limits in the code, so previous developments could have exceeded both of these calculations in R-2 zoning. Member Nelson asked Tom Ernst if they have any type of numbers that they are considering related to the proposed development and what they need in order to make a good investment. Mr. Ernst replied that there are several factors that they look at in order to determine the product and then they look at how many units are allowed and then they complete an evaluation. He expressed his opinion that this development doesn't appear to be able to handle more than 16 units per acre because it would require higher stories, which are not supported by codes and emergency equipment in the community. There are certain requirements for parking, open space, and other things that limit the space that they can build housing. He believes that their "sweet spot" would be around 420 units. Jim Barbee brought out that this application is for a zone change regardless of what will be done with the land later, and the decision should be based upon whether it qualifies or meets the regulations for a zone change. Right now, questions are being asked about the potential future development of the property, which is a whole different process and handled separately from this application. Member Nelson said that they have to decide if it meets the findings in the code, and Mr. Barbee agreed that this is what he was trying to explain. Member Nelson stated that he is considering whether the new zoning would be compatible with the surrounding uses. Jim Barbee noted that Coleman Road as it is currently doesn't meet the requirement for a future development, and they have stated that from the beginning. He also pointed out that as the land is used currently, the road is sufficient. The road and traffic issues will need to be addressed with the development application. He understands their concerns. Member Nelson expressed his opinion that the road issues when related to the potential development that would be permitted with the zone change doesn't meet the finding for the application. There was more discussion related to the road access, including potential road development as noted in the Master Plan such as the Allen Road extension and Moody Lane extension. Member Picotte mentioned that the traffic mitigation will be up to the engineers to figure out. Jim Barbee said that this would be part of any decision related to the development. He noted that the biggest hurdle in the extension of Allen Road to Coleman is the railroad. Chair Arciniega brought up that there is a railroad crossing at Coleman near Reno Highway that might need to be improved as well, and Mr. Barbee said that there is a big difference in modification of a crossing than in obtaining a new crossing. Director Chris Spross stated that as he understands regarding Union Pacific that if you create a new crossing, they expect you to eliminate two other crossings, and he doesn't think that we are in a position to be eliminating any railroad crossing. Dean Patterson remarked that we are spending a lot of time talking about traffic and paths and so forth. The objective here right now is to keep our options open. We can't predict what will happen or decide now that we will never get Allen Road through to connect with Moody Lane. Maybe we can, but we certainly won't if we cut all of our options off. Really, it comes down to keeping the options open so that you have those opportunities when they come up in the future.

Member Diehl inquired if the developer had considered developing the property even without the zone change to R-3. Jim Barbee stated that the whole point in purchasing this property for the County was to create multi-family housing and higher density housing to deal with the

housing shortage. Granted, we are in a different time now than we were in 2019. In 2019 the County was begging anyone to have a conversation with us regarding development of this property. Member Diehl then asked if this is something that the county has been considering for some time, and Mr. Barbee concurred that they have been speaking with potential developers since it was purchased.

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

Member Bunyard, based on the information provided in the application, in the staff report, and heard tonight, moved that the findings have been met for conformance with the Zone Map Amendment criteria found in CCC 16.08.060(E) on APNs 008-301-11 & 008-301-12, as described in the Staff Report. Member Getto seconded the motion and the decision carried by a vote of six (6) [Members Arciniega, Bunyard, Diehl, Getto, Picotte, and Yates] to one (1) [Member Nelson].

Member Yates, based on the previously adopted findings made for this project, moved to recommend that the Board of County Commissioners approve the request for a Zoning Map Amendment by Churchill County to change the zoning on Assessor Parcel Numbers 008-301-11 & 008-301-12 to R-3. Member Getto seconded the motion and the decision carried by a vote of six (6) [Members Arciniega, Bunyard, Diehl, Getto, Picotte, and Yates] to one (1) [Member Nelson].

Chair Arciniega noted that this item will be forwarded with their recommendation to the Board of County Commissioners at their July 7, 2022 hearing.

10. 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 special use permit for a home based horse business granted to Michelle Hoekenga for property located at 3250 Weaver Road, Assessor's Parcel Number 006-751-74, in the A-5 zoning district. The permit was granted solely to Michelle Hoekenga, who stated that she is moving out of state. The permit should be terminated.

Member Yates moved to approve the Consent Agenda as submitted. Member Getto seconded the motion and the decision carried unanimously.

12. Public Comment:

There were none.

13. Adjournment:

There being no further business to come before the Planning Commission, Chair Arciniega adjourned the meeting at 9:12 p.m.

14. Appendix:

Supporting Documentation

Respectfully submitted,

Diane Moyle
Administrative Assistant

DRAFT



Churchill County Building Department

July 5, 2022

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

RE: COMMENTS PERTAINING TO TEMPORARY USE PERMIT APPLICATION FOR KENT CHAMPNEYS,
6840 RENO HIGHWAY

Mr. Spross:

Placing a recreational vehicle as a temporary watchman's quarters will require applying for and issuance of a placement/set-up permit from the Churchill County Building Department. The fee for a placement permit is \$200.00. That fee will include all required inspections.

Inspection and approval of the connections to electric power, water and septic system will be required prior to occupancy of the recreational vehicle.

A search of the records available in the Churchill County Building Department did not produce any permits, or applications for septic system construction. The septic may have been installed prior to current record keeping, or the records misplaced.

It is noted that the last time this system was connected to a dwelling and in continual use is unknown. As part of the requirements for legal placement of a recreational vehicle for a temporary use permit, a passing inspection by a recognized septic inspector will be required.

Before doing any type of construction or remodel on the existing building, an inspection by the Churchill County Building Department will be required to determine what will be needed to bring the structure into current compliance as a commercial business.

A building permit and inspections will be required for any construction.

Please contact me with any questions or concerns.

Sincerely,

Marie A. Henson
Building Official

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



Churchill County Building Department

July 5, 2022

Chris Spross, Director
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 FOR RUFUGIO TRILLO,
6901 COX RD

Mr. Spross:

In a search of records in the Churchill County Building Department, no permit was found for construction of a barn at the above address. If construction of the barn was prior to 1981, no permit would have been required at that time.

Prior to starting business in this structure, the Churchill County Building Department will require an inspection of the building to determine what alterations may be needed to change the use from an agricultural barn to a commercial welding shop.

The existence of customer traffic will require the following alterations to the existing building;

- An approved ADA entrance/access into the building.
- A level, hard surfaced designated parking space.
- An approved access route from the parking space to the access into the building.
- An approved ADA bathroom.

Depending on what the pre-business inspection reveals, other alterations for fire, safety and/or structural situations may be required.

A building permit and inspections will be required for any construction.

Please contact me with any questions or concerns.

Sincerely,

Marie A. Henson
Building Official

155 N Taylor St
Suite 170
Fallon, NV 89406

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



CHURCHILL COUNTY
PUBLIC WORKS,
PLANNING & ZONING

*Public Works
Planning Department
Planning Commission
Zoning Enforcement
Business License
GIS*

June 28, 2022

TOPKEN WILLIAM F & LAUREL K
6965 COX RD
FALLON, NV, 89406-9348

Dear Property Owner:

The Churchill County Planning Commission will meet on Wednesday, **July 13, 2022**, at 7:00 p.m. at the Churchill County Administration Complex, County Commission Chambers, 155 North Taylor Street, Fallon, Nevada.

A public hearing will be held for a special use permit application filed by Refugio Trillo for a mobile welding home based business. The property is located at 6901 Cox Road, Assessor's Parcel Number 008-112-12, and consists of 5.0 acres in the A-5 zoning district. The applicant proposes to convert an existing hay shed into the business shop.

As a property owner within the vicinity of the property in question, you are invited to attend this meeting to provide input and aid the Planning Commission in their discussion. You may submit your comments in writing by 4:00 p.m., July 12, 2022, the day prior to the meeting if you are unable to attend. A copy of the application is on file and available for public inspection at the Churchill County Public Works, Planning & Zoning Department.

Sincerely,

Christian Spross
Director, Public Works, Planning & Zoning

Enclosure: Applicant Plot Plan

*We Have NO OBJECTIONS
TO THIS PROPOSED special use permit.
Wm Topken
for LAUREL K. TOPKEN*



notes

Leora Pendleton
6487 Lakeview Dr.
Fallon, NV. 89406

To Dir. Christian Spross,

This is in regards to a letter sent to me concerning a Mr. Refugio Trillo. I have no problem with him setting up a business on his property.

I hope this letter is helpful in your decision to grant Mr. Trillo his special use permit.

Thank you,
Leora Pendleton

Mr. Charlie Arciniega
Chair, Churchill County Planning Commission
155 N. Taylor
Fallon, NV 89406

July 10, 2022

Dear Chair Arciniega,

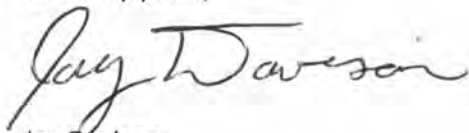
I recently learned of the request by Stanislaus Farm Supply to be granted a variance regarding the number of storage containers that could be placed on the property located at 500 Gummow Drive. Stanislaus Farm Supply is company that sells fertilizers, crop protection chemicals and seed to our local agricultural producers. I am writing you to add my strong support for this request.

As a retired Crop Specialist for the University of Nevada Reno Cooperative Extension who worked in Churchill County for 20 years and continue to do so as a private citizen, I feel qualified to address this variance.

Although Churchill County has a thriving and important agricultural industry, we lack critical local agricultural supplies typically found in other agricultural communities. This means that when a local agricultural producer needs items such as bulk fertilizer, seed or specialty pesticides they must order those materials and wait for delivery, often from out of state suppliers. This results in delays, and out of county expenditures that would be reduced if the materials were available locally.

As I understand the variance request, Stanislaus Farm Supply is requesting the addition of more storage containers for the property on Gummow Drive in order to increase the amount of agricultural supplies available locally. This will be a very positive development for our local agricultural producers and the County at large. As such, I urge the Planning Commission to support the change in variance request by Stanislaus Farm Supply.

Sincerely yours,



Jay Davison
University of Nevada Reno
Cooperative Extension Crop Specialist Emeritus

RECEIVED

JUL 11 2022

Churchill County Public Works,
Planning & Zoning

Diane Moyle

From: Eric Olsen <eric@hillsidemilk.com>
Sent: Wednesday, July 13, 2022 8:16 AM
To: Planning Admin
Subject: Fwd: Zone variance

Sent from my iPhone

Begin forwarded message:

From: Eric Olsen <edolsenu99@gmail.com>
Date: July 12, 2022 at 7:15:09 PM PDT
To: Eric Olsen <eric@hillsidemilk.com>
Subject: Zone variance

Churchill County Public Works
Planning and zoning
155N. Taylor Suite 194
Fallon, Nv 89406

Re: Variance for Stanislaus Farm Supply Parcel 008-391-10

Churchill County Planning

I am writing this letter in support of the variance requested by Stanislaus farm supply to be able to place shipping containers on parcel 008-391-10, 500 Gummow Ln. in Fallon ,Nv

Agriculture is a time sensitive business. When you need to take action for applications for your crops quite often it has to be done in less than 24 hours. We rely on Stanislaus to have these products in stock to be successful. These containers will greatly enhance their ability to have an adequate inventory to ensure one of the main business components of Fallon to thrive in the future. I have farmed for forty years in Fallon and now my son Kyle has decided to join the business. This facility is a cornerstone of our future and success. Your support will be greatly appreciated by our family.

Sincerely ,


Eric and Dianna Farms,
Hillside Dairy

Sent from my iPad

Christopher and Samantha Gomes
320 St. Clair Road
Fallon, NV 89406
(775) 423-5316

July 12, 2022

Churchill County Public Works,
Planning and Zoning
155 N. Taylor, Suite 194
Fallon, NV 89406

Re: Variance for Stanislaus Farm Supply Parcel 008-391-10

Churchill County Planning,

I am writing this letter in support of the variance requested by Stanislaus Farm Supply to be able to place shipping containers on parcel 008-391-10, 500 Gummow Lane, Fallon, Nevada.

As a lifelong member of this agricultural community, I am fortunate to continue to produce hay and farm here. The resources for successful farming continue to dwindle and the cost continue to rise. Having businesses like Stanislaus Farm Supply maintaining chemicals and other supplies locally allows the farmers in this valley to address crop needs in a timely manner. In addition, having more than one source creates an opportunity for competitive pricing which is important when business margins are so narrow.

Please consider allowing this variance to put additional containers at 500 Gummow Road as this property has rail access and is zoned for commercial use.

Sincerely,


Christopher Gomes

Frey Ranch

1045 Dodge Lane

Fallon, NV. 89406

775-843-0527

775-423-3338 FAX

Tuesday July 5, 2022

Churchill County Public Works,
Planning and Zoning
155 N. Taylor, Suite 194
Fallon , NV 89406

Re: Variance for Stanislaus Farm Supply Parcel 008-391-10

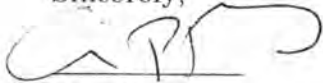
Churchill County Planning,

I am writing this letter in support of the variance requested by Stanislaus Farm Supply to be able to place shipping containers on parcel 008-391-10, 500 Gummow Ln. in Fallon.

As I'm sure you all know, Agriculture is one of the main industries in Fallon, and vital for our community. Agriculture is also a tough business with thin margins and susceptible to many perils including pests, drought and unstable markets. It is imperative that we have immediate access to the supplies needed to be successful. Often, farmers realize there is a problem with their crops and have to take immediate action. These containers will allow Stanislaus Farm Supply the ability to keep needed chemicals and supplies in stock. Additionally, without Stanislaus Farm Supply, there would be little competition to keep prices within reason.

I am very familiar with the property and do not see an issue with the proposed variance. The property has rail access and is zoned commercial, making it an ideal candidate for this variance. Please allow a variance for Stanislaus Farm Supply to put additional containers at 500 Gummow Rd.

Sincerely,



Colby Frey



Churchill County Building Department

July 5, 2022

Chris Spross, Director
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 FOR OMAHA TRACK,
1006 NEVADA STREET, HAZEN

Mr. Spross:

The permits for the temporary office's mentioned in Criterion 2 were approved on February 25, 2022.

A permit for a required ADA parking space was issued on August 30, 2020. That permit was subsequently voided on January 19, 2022, per section 105.5 of the 2018 International Building Code as no inspections had been requested to verify work had been commenced within 180 days of permit issuance.

A designated ADA parking space, and approved ADA access to all buildings must be provided.

OSHA does not allow the use of portable restrooms for employee use, unless there are specific approved circumstances, such as temporary construction sites. This business does not meet any of the OSHA exceptions. Approved permanent restrooms must be provided or constructed immediately.

A septic system will be required per Nevada Administrative Code 444. Per NAC 444, a commercial septic system must be designed by a licensed State of Nevada Engineer and permitted by the Nevada Division of Environmental Protection.

A new office building, or any other type of construction, will require a building permit from the Churchill County Building Department, and must meet all Churchill County Codes and the 2018 International Building Codes. Any structure will require submittal of plans from either a licensed State of Nevada Architect, or licensed State of Nevada commercial contractor. Only a licensed State of Nevada commercial contractor may perform construction work on a commercial project.

Please contact me with any questions or concerns.

Sincerely,

Marie A. Henson
Building Official

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

Thomas George Dulgar
Barbara Jean Dulgar
17285 Whippoorwill Lane
Reno, NV 89506-8415

RECEIVED

JUL 11 2022

Churchill County Public Works,
Planning & Zoning

July 5, 2022

Churchill County
Public Works, Planning
& Zoning Department
155 N. Taylor, Suite 194
Fallon, Nevada 89406

Dear Sirs:

Thank your for the letter on the Public Hearing. RE: A special use permit application filed by Omaha Track for a Rail Based Services facility.

Since we are the Property Owners within the vicinity of the property in question. We are unable to attend this meeting. We are requesting a copy of the minutes in said matter.

Sincerely,

Thomas George Dulgar
Barbara Jean Dulgar



9' tall
37' long beam
33" height of beam

RECEIVED

July 2, 2022

JUL 05 2022

Churchill County Public Works,
Planning & Zoning

Dear Planning Commission,

With the density of the proposed development and the impact on the environment in the vicinity, I believe this project needs to be re-evaluated and cancelled.

The traffic on the surface streets will cause substantial problems in the area, which includes Casey Road and the surface streets in the residential areas surrounding the development. There are other problems to consider as well, including higher incidents of crime.

I know you've already heard about how it will adversely affect the quality of life of those of us living in the area who moved here to enjoy the quiet rural environment in a small community.

I also call B.S. on it being for the base. They have their own houses and there are plenty of places in town to build, many of which already have apartments in their neighborhoods. I lived in town near some apartments and ended up selling and moving to this neighborhood to get away from them. I am older and retired now, moving to get away from the new housing area is not an option for me.

Please reconsider this horrible plan to destroy our neighborhood. We live here, you don't.

Sincerely,
Patty Lewis
2776 Stoneberger Pl
Fallon, NV 89406
(775) 423-0685



CHURCHILL COUNTY PLANNING

Planning Department
Planning Commission
Zoning Enforcement
Business License
GIS

RECEIVED

June 28, 2022

JUL 11 2022

JULIAN DARLENE A TRUSTEE
1194 EAGLE ROCK RD
FALLON, NV 89406-6889

Churchill County Public Works
Planning & Zoning

Dear Property Owner:

An application was submitted for consideration to approve a conceptual planned unit development application, Old Stone Ranch, filed by NevDev, LLC. It is located on property between Casey Road and Birch Lane and property south of Birch Lane, Assessor's Parcel Numbers 008-792-11, 008-792-95, 008-831-77, 008-831-85, and 008-831-86, consisting of approximately 107.239+/- acres. The properties were previously approved for urban development, but those approvals have expired. The current concept proposes 619 single-family and multi-family residences. This number includes a request for bonus density in exchange for providing community benefit by constructing a County park. A copy of the concept plan is available for viewing in the Public Works, Planning and Zoning Department office.

A public hearing will be held in the Churchill County Administration Complex, County Commission Chambers, 155 North Taylor Street, Fallon, Nevada **at 7:00 p.m. on Wednesday, July 13, 2022**, the Churchill County Planning Commission will hold a public hearing on this request. The Planning Commission will make the final decision on this conceptual development application. A copy of the proposed Conceptual Planned Unit Development is available for viewing at the Public Works, Planning & Zoning Department. There will be more future applications and meetings held for the Planned Unit Development, Tentative Maps, and Final Maps, which will require a final decision by the Board of County Commissioners.

As a property owner within the vicinity of the property in question, you are invited to attend this meeting to provide input, bring up concerns, and ask questions that the Planning Commission could use in discussion with the developer. If you are unable to attend the meeting, you may submit your comments in writing by 4:00 p.m., July 12, 2022, the day prior to the meeting.

Sincerely,

Christian Spross
Director, Public Works, Planning & Zoning

*My first thought, will there
be enough water?
I hope you plan to keep
a lot of those beautiful trees.*

Darlene Julian

July 9, 2022

To: Churchill County Commosioners

I was present at th first hearing on the proposed additional building on Casey Road to Birch Road last month. Due to the opposition to the density of the building plan I was told the builder had decided to withdraw his request.

Now a month later I have received a letter from the planning commission stating that the building will go ahead anyway.

I do not feel that THE RESIDENTS OF THIS AREA ARE OPPOSED TO ANY BUILDING BUT FEEL THAT THERE WILL BE ADENSITY OF POPULATION IN A SMALL AREA THAT WILL ONLY CAUSE MANY PROBLEMS AS WE ARE SEEING IN RENO AND OTHER AREAS WHERE THEY HAVE OVERBUILT A SMALL AREA.

ANY NEWS PROGRAM FROM RENO STATES THAT CRIME AND ARRESTS HAVE GONE UP SINCE THEY HAVE BUILT EXCESS DENSITY FOR THE PARTICULAR AREA.

We are a small country area, not a urban Reno area. This increase will not only add totaxes for section 8 housing but tax our schools, fire dept, police, roads not at least water and sewer capacities.. If the new well is to be a back up well for the pine road and cedar road housing, and I understand even to Allen road where is the water for these new buildings coming from.

Another question I have where will these people work? We have no mfg cos. here and the base cannot hire all of them.

If we need that much additional housing in Fallon why are other areas not being considered?

Sincerely,
Jackie Ugalde
1680 Lattin Rd.
Fallon, Nv.89406

A RESIDENT FOR 70 YEARS.

RECEIVED

JUL 11 2022

Churchill County Public Works,
Planning & Zoning



Conceptual Planned Unit Development

Planning Commission Hearing
July 13, 2022

Project Location/Zoning

North Unit – R-1 Zoning

South of Casey Road & North of
Birch Lane

APN's 008-792-11 & 95

South Unit – E-1 Zoning

South of Birch Lane

APN's 008-831-77, 85, & 86

107.2+/- acres



Plan Revisions from Staff & Community Comments from Workshop

- Change to Non-Residential Area to retain detention and enhance passive recreation opportunity – Expands Open Space Area from version that had Mini-Storage
- Modification of Alignment of Old Stone Ranch Parkway – Regional Connector Roadway – No connection to Hammond Property Requested at Workshop
- Expand grassland/natural open space area at southern end of property
- Trail or open space along southern boundary adjacent to agricultural land.
- Friction Zone on west – Greater separation and reduction of Townhomes from 132 – 98 and addition of 13 single family lots at south end this village
- Homes backing onto Birch Lane have been removed.
- Modify southeastern single-family layout and park configuration. Includes piping of BOR Structure through Park.



Amended ConceptualPUD Plan

Apartments – 408 (408)

Village 1 – Townhomes – 98 (132)

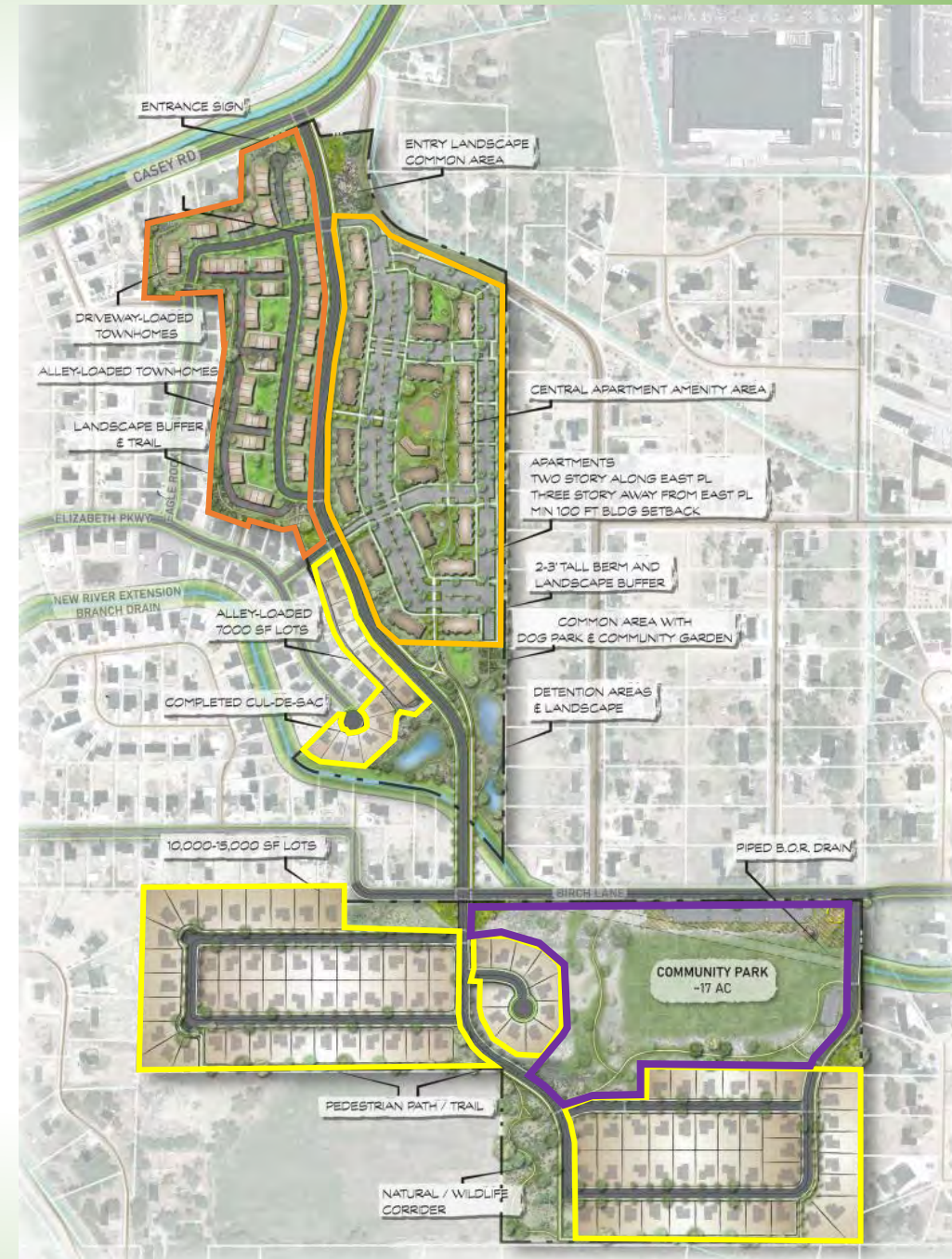
Village 1 – Single Family – 13 (0)

Villages 2 & 3 – 10K– 15K SF Lots – 100 (108)

619 total conceptually designed units/lots

17-acre Community Park

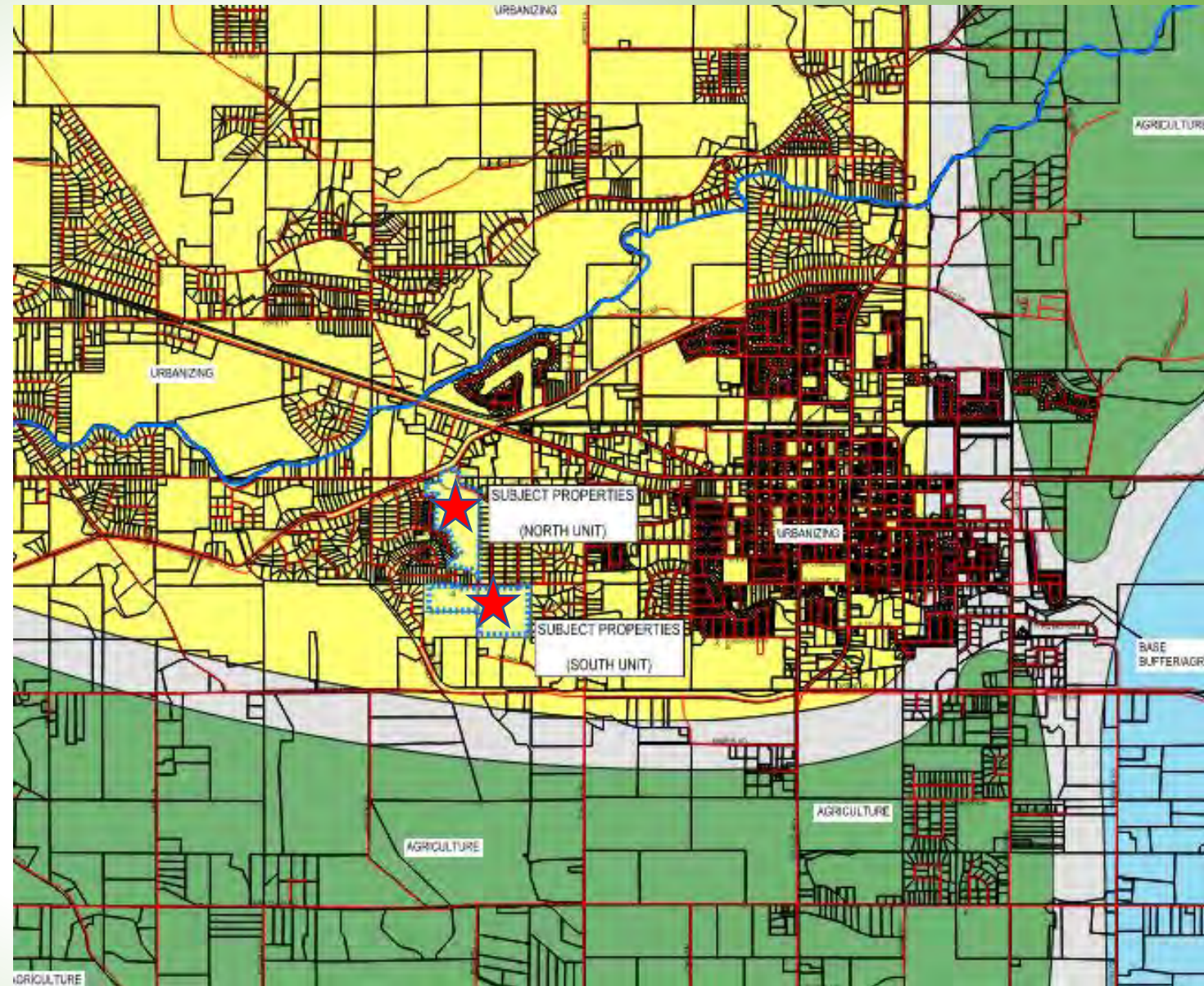
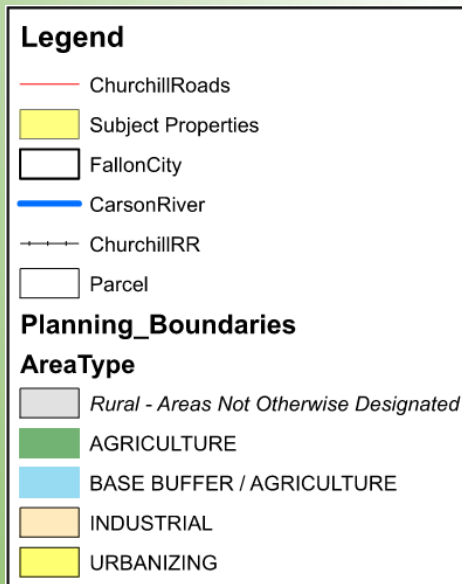
Other Open Space within and External to Villages



Master Plan

Subject properties are within the **Urbanizing Area** identified in the Churchill County Master Plan (site hidden below Hwy 50 Symbol)

Urbanizing Area: This land use designation is intended to identify where an urban density and intensity of development is intended. Any zone is acceptable, including high-density residential, commercial, and industrial zones. Pre-existing and new agricultural uses are acceptable. This land use designation is focused on the northwest quadrant of the area surrounding Fallon, generally north of Sheckler Road and the V-Line Canal and west of US 95.

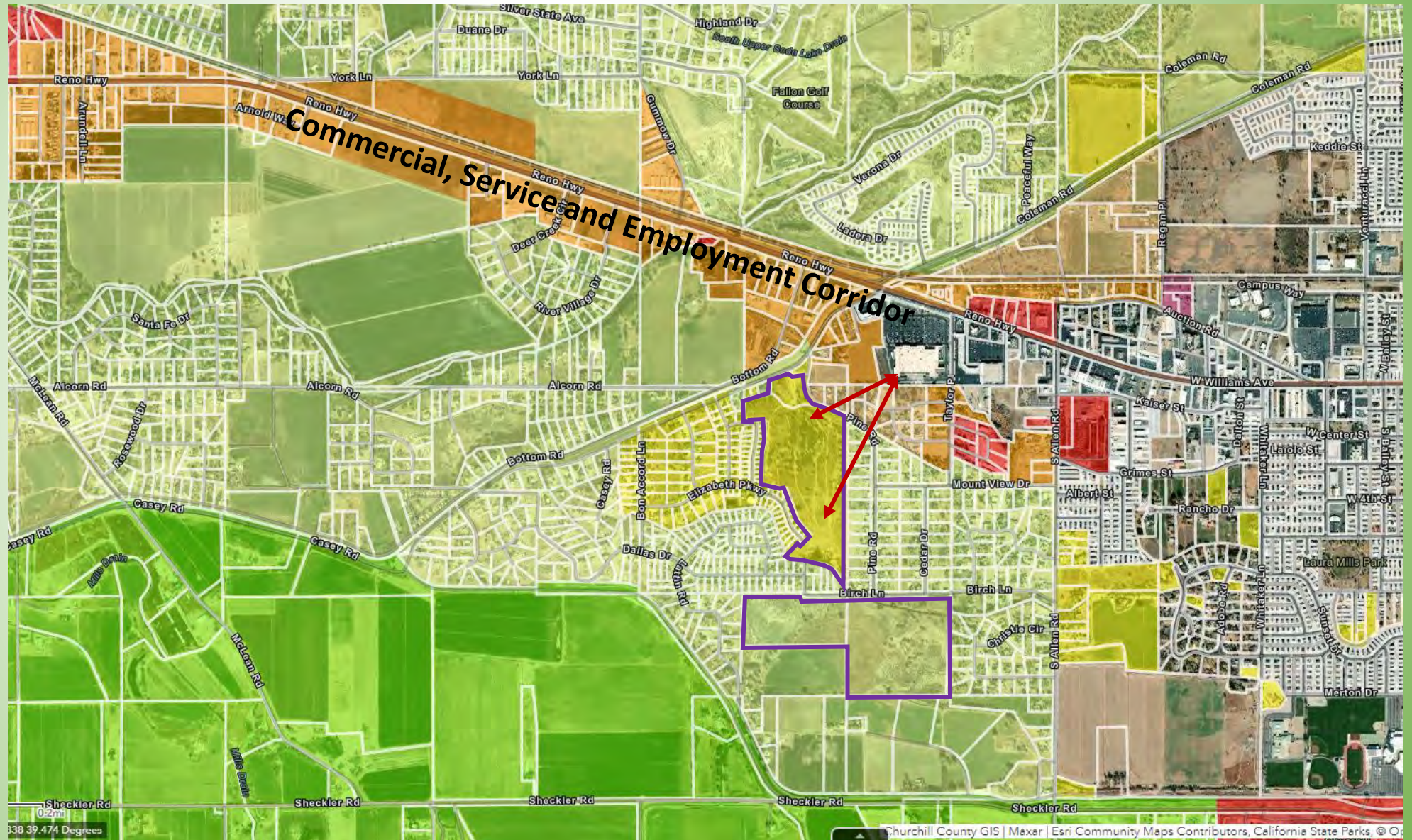


Locational/Density Rationale

Located Near Primary Commercial, Service, Employment Corridor

Proximity to Walmart is +/-1/4 Mile from northern end of Apartments

Southern end of Apartments is +/-1/2 mile from Walmart



Significant Master Plan Population & Housing Section Statements

Multi-family and Rental Demand

“there is a need for both market-rate housing and affordable workforce housing.”

In addition, single, unaccompanied military personnel and older fixed-income retirees moving into the community may require housing other than traditional single-family conventional housing. Smaller and higher-density units and rental options, such as apartments, are needed to accommodate a large share of the market.

The 2019 Housing Needs Assessment for Churchill County identified a significant issue in the lack of multi-family apartments. There is an imbalance in the availability of multi-family versus other housing types, and there are low rental vacancy levels, and there are few multi-family projects planned to meet the shortage. Consequently, there is a significant demand for multi-family and other lower-cost housing options. Typically, this would be served by apartments or attached dwellings. However, in Fallon and Churchill County, the imbalance of multi-family ratios has driven a larger number of single-family dwellings into the rental market. The Assessment projects a five-year housing need of at least 840 units, consisting of 427 owner-occupied units (mainly single-family) and 383 rental units (mostly apartments).

Population & Housing Policies

GOAL PH 2: Ensure that the availability of higher-density single-family and multi-family lands are consistent with the demands generated locally.

- o Policy PH 2.2: Encourage higher-density single and multi-family residential development in the portions of the Urbanizing Area that can best support urban development.

- o Policy PH 2.3: Provide opportunities for higher densities and require such development to connect to community sewer and water systems, and connect to and use paved urban standard roads as provided in the current Master Plan policies and development code requirements.

GOAL LU 4: Infrastructure expansion shall be cost effective.

- Policy LU 4.1: Encourage infill development, particularly in the urbanizing area, to provide a cost-effective provision of utilities.

Property Zoning and Density Allowance

Base PUD Density Calculation

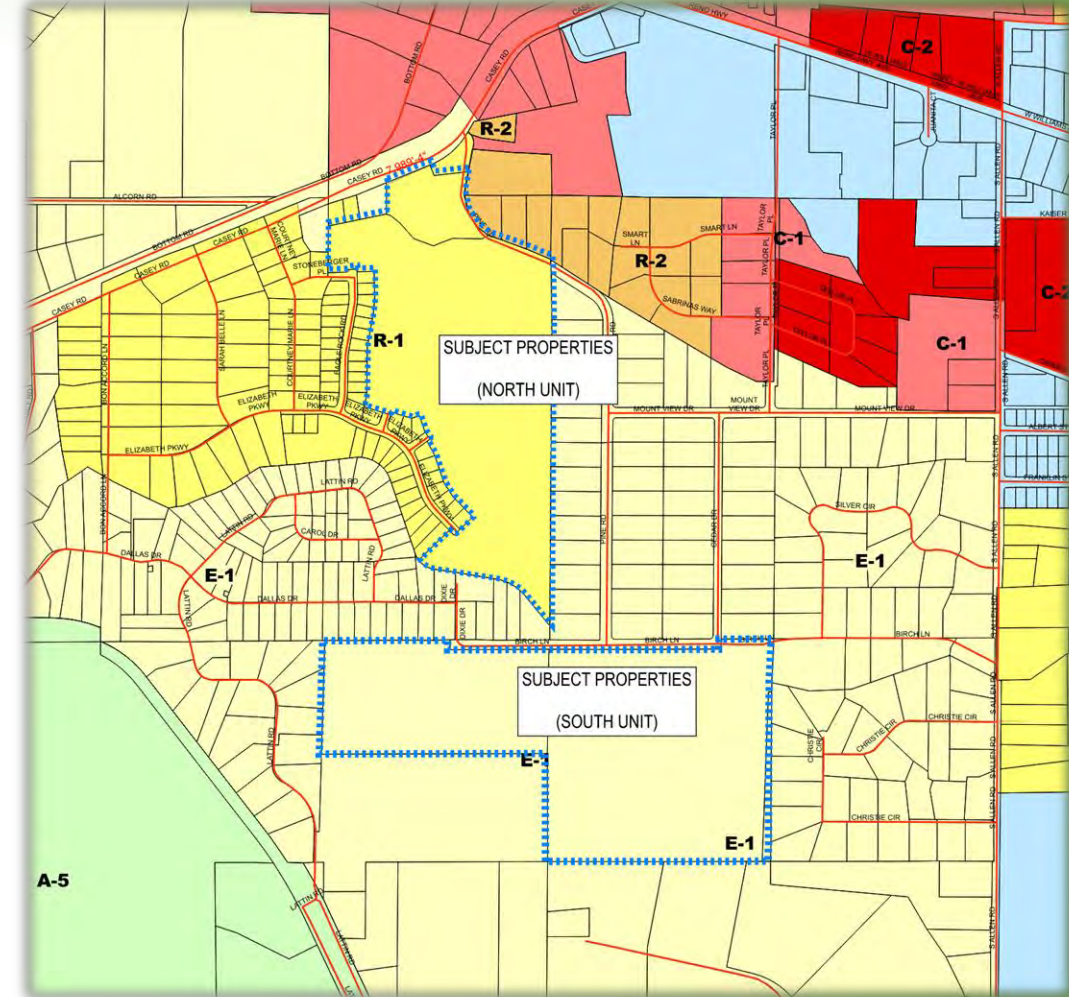
Zoning	Acreage	Allowed Density	Allowed DU's
R-1	47.31	5.0 DU/AC	236.55 DU's
E-1	<u>59.92</u>	3.2 DU/AC	<u>191.74 DU's</u>
	107.23		428 DU's (Rounded Down)

428 units in a standard PUD with 20% open space (No community benefit requirement)

Density Bonus Allowance Calculation (Maximum)

Zoning	Acreage	Allowed Density	Allowed DU's
R-1	47.31	Up to 8.0 DU/AC	378.48 DU's
E-1	<u>59.92</u>	Up to 5.0 DU/AC	<u>299.60 DU's</u>
	107.23		678 DU's (Rounded Down)

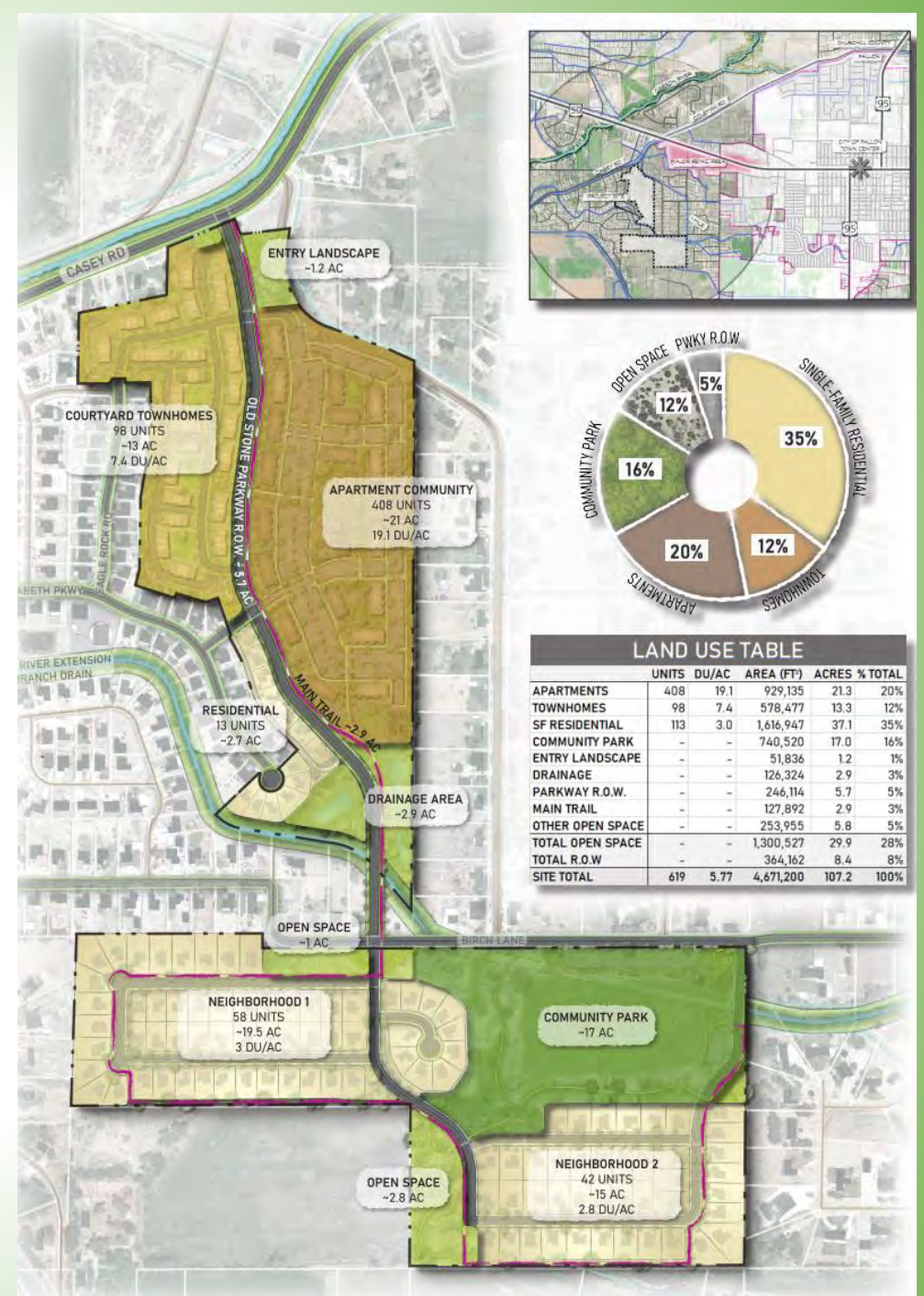
In order to get density bonus, significant community benefits that go beyond the open space requirement or TDR's must be provided.



Proposed Land Use Plan

LAND USE TABLE					
	UNITS	DU/AC	AREA (FT ²)	ACRES	% TOTAL
APARTMENTS	408	19.1	929,135	21.3	20%
TOWNHOMES	98	7.4	578,477	13.3	12%
SF RESIDENTIAL	113	3.0	1,616,947	37.1	35%
COMMUNITY PARK	-	-	740,520	17.0	16%
ENTRY LANDSCAPE	-	-	51,836	1.2	1%
DRAINAGE	-	-	126,324	2.9	3%
PARKWAY R.O.W.	-	-	246,114	5.7	5%
MAIN TRAIL	-	-	127,892	2.9	3%
OTHER OPEN SPACE	-	-	253,955	5.8	5%
TOTAL OPEN SPACE	-	-	1,300,527	29.9	28%
TOTAL R.O.W	-	-	364,162	8.4	8%
SITE TOTAL	619	5.77	4,671,200	107.2	100%

A total of 619 units/lots are proposed with project.
This is reduced from 648 that were conceptually designed at
The Planning Commission Workshop.



Apartment Area Overview

20.3+/- AC

408 Proposed Apartment Units

9 - two story buildings

11 - three-story buildings

East Setback – 80-feet minimum from property line

2-3 foot berm with screen planting (75% min. Evergreens)

Amenity Areas

- Internal Apartment Amenity Areas

Conceptual Architectural Styling



Apartment Area Specifics



100' separation is required per Code with 50 foot minimum provided
On multi-family property. Proposed distances exceed Code requirement.



Pine Road Access

Continued Access to 3 existing lots (APN's 008-792-01 thru 03) is proposed to be retaining in the same configuration that it currently exists.



Village 1 – Townhomes – Overview

15.0+/- AC

98 Proposed Townhomes (Previously 132)

23 two-story buildings

Maintains a minimum 100-foot friction zone buffer from single family structures to the west

Conceptual Architectural Styling



Village 1 – Single Family – Overview

2.7+/- AC

13 Proposed Single Family Lots (Previously 0)



Villages 2 & 3 – Single Family – Overview

Village 2 – 19.5+/- AC

Village 3 – 15+/- AC

100 Proposed 10,000 to 15,000 SF Lots (Previously 108)

Larger Lots adjacent to East, West & North

Pedestrian path/trail system enhancements on streets or adjacent to agricultural lands to south

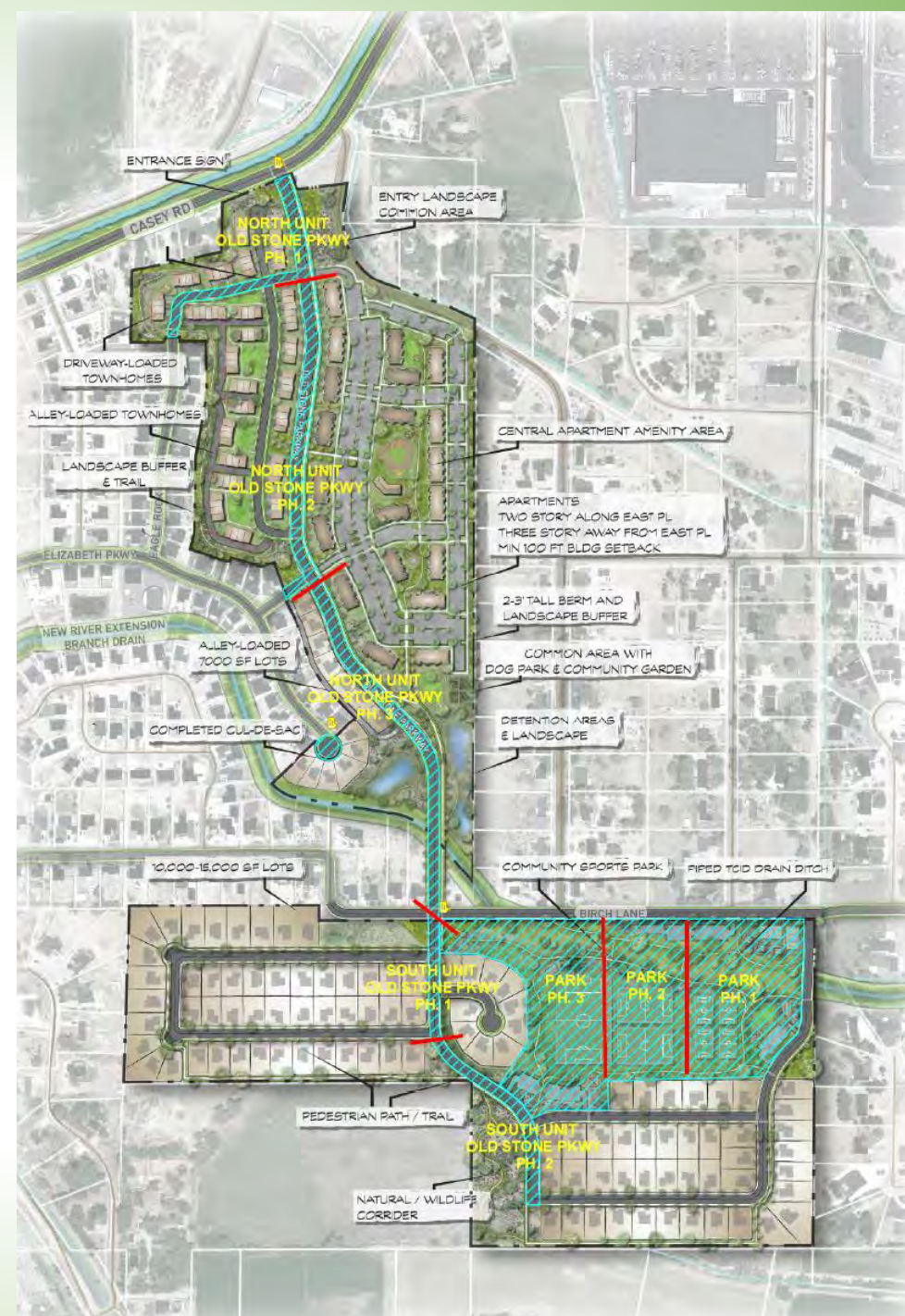
Conceptual Architectural Styling



Community Park/Benefit Exhibit



Infrastructure/Parks Phasing

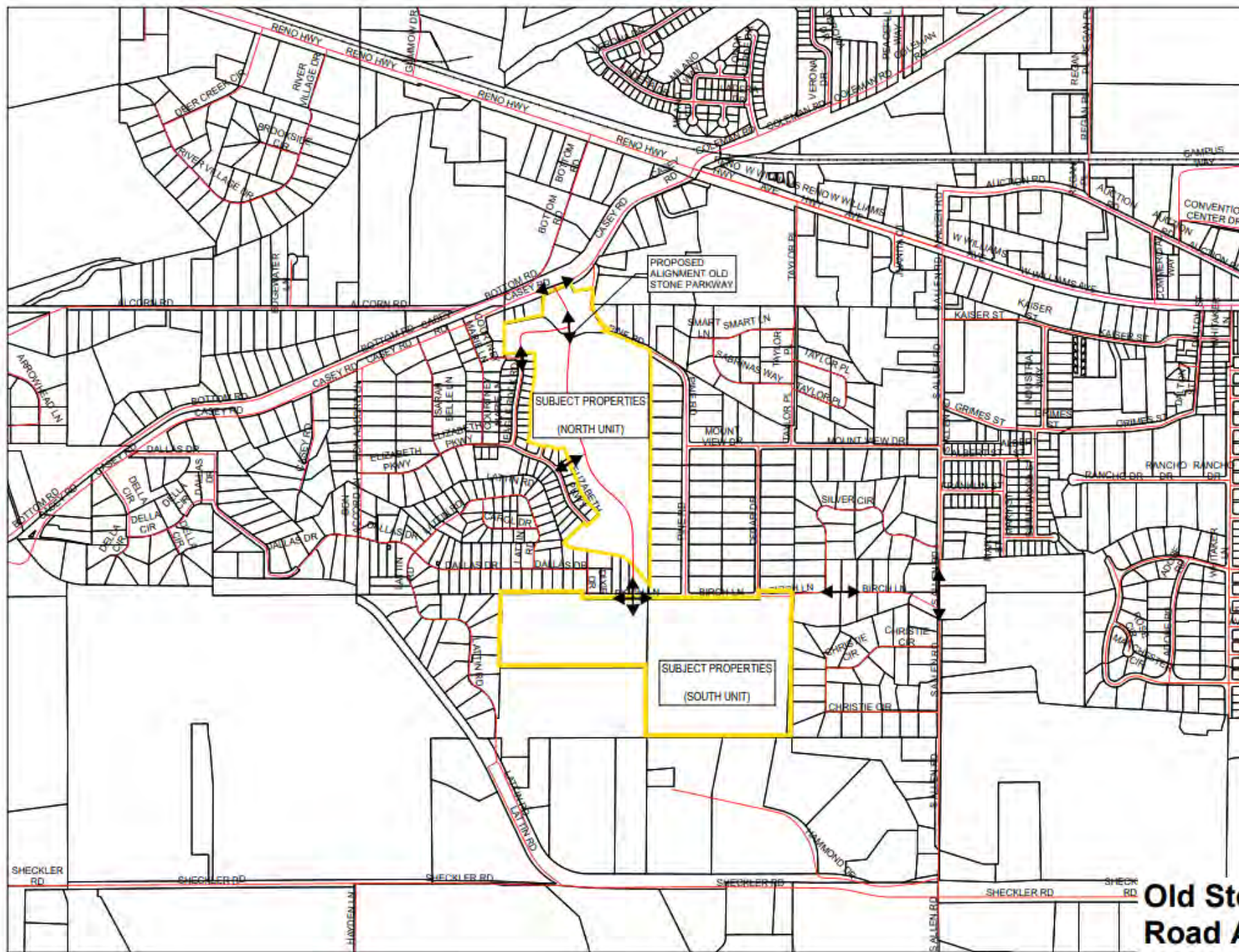


Allen/Birch Intersection Improvements (off-site)



Questions?

EXTRA SLIDES AVAILABLE
FOR QUESTIONS



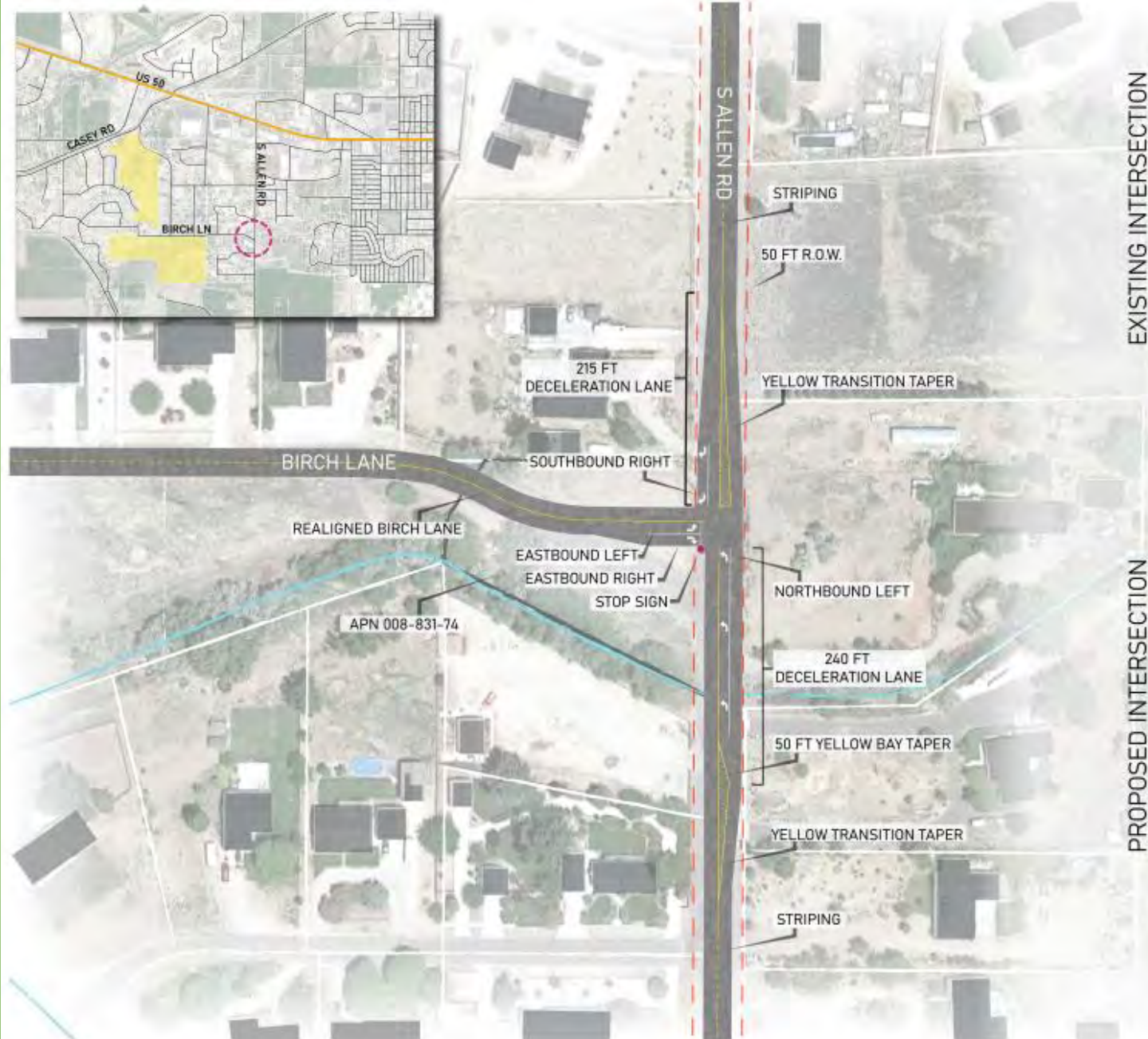
Legend

- ChurchillRR
- ChurchillRoads
- PARCELS



0 0.05 0.1 0.2 Miles

**Old Stone Ranch PUD
Road Access Exhibit**



EXISTING INTERSECTION



PROPOSED INTERSECTION



S ALLEN RD AND BIRCH LANE IMPROVED INTERSECTION

CHURCHILL COUNTY, NEVADA

Other Comments from Workshop

- Project Density
- Traffic
- Southern BOR Structure in use
- Birch Lane originally not intended to go through
- No road desired to connect to Hammond Property (South)
- Dark Skies Lighting
- Maintenance of Park
- Wells – Will water line be available to existing residents to East
- Proposed development is an in-fill project with an Urbanizing Area and within ¼ mile from Churchill County's main commercial, services and employment corridor – Density has been Reduced 648 – 619.
- Old Stone Parkway will provide significant collector to minor arterial connection between Birch and Casey. Improvements are proposed at Allen Road and Birch Lane. Paul Solaegui is here and can discuss traffic.
- TCID identified that the southern structure had been abandoned
- Birch Lane has had connections through residential use areas that has created some concern over pass-thru and speeding. Old Stone Parkway is designed to be a connection without driveways backing onto street.
- Connection is not made to Hammond Property
- Lighting will be provided to meet county and public safety standards
- Initial maintenance by Developer/HOA then dedicated to County.
- The water line will be put in to meet the needs of this project and facilities should be closer to properties that are currently not served if there is a future need to connect

Old Stone Ranch Parkway (Casey Road Entry)



Old Stone Ranch Parkway - Mid Section



ENTRANCE SIGN

CASEY RD

NORTH UNIT OLD STONE PKWY PH. 1

ENTRY LANDSCAPE COMMON AREA

DRIVEWAY-LOADED TOWNHOMES

ALLEY-LOADED TOWNHOMES

LANDSCAPE BUFFER & TRAIL

ELIZABETH PKWY

NEW RIVER EXTENSION BRANCH DRAIN

APTS. I

VI.II

VI.III

NORTH UNIT OLD STONE PKWY PH. 2

APTS. II

APTS. III

CENTRAL APARTMENT AMENITY AREA

APARTMENTS TWO STORY ALONG EAST PL THREE STORY AWAY FROM EAST PL MIN 100 FT BLDG SETBACK

2-3' TALL BERM AND LANDSCAPE BUFFER

COMMON AREA WITH DOG PARK & COMMUNITY GARDEN

DETENTION AREAS & LANDSCAPE

ALLEY-LOADED 7000 SF LOTS

NORTH UNIT OLD STONE PKWY PH. 3

COMPLETED CUL-DE-SAC

V2.I

V2.II

10,000-15,000 SF LOTS

COMMUNITY SPORTS PARK

PIPED TOD DRAIN DITCH

BIRCH LANE

SOUTH UNIT OLD STONE PKWY PH. 1

V3.I

V3.II

V3.III

PEDESTRIAN PATH / TRAIL

NATURAL / WILDLIFE CORRIDOR

SOUTH UNIT OLD STONE PKWY PH. 2

V4.I

V4.II

PHASE LAYOUT DRIVING NEEDS TO BE UPDATED WITH PHELPS PLAN UPDATES

CP.I

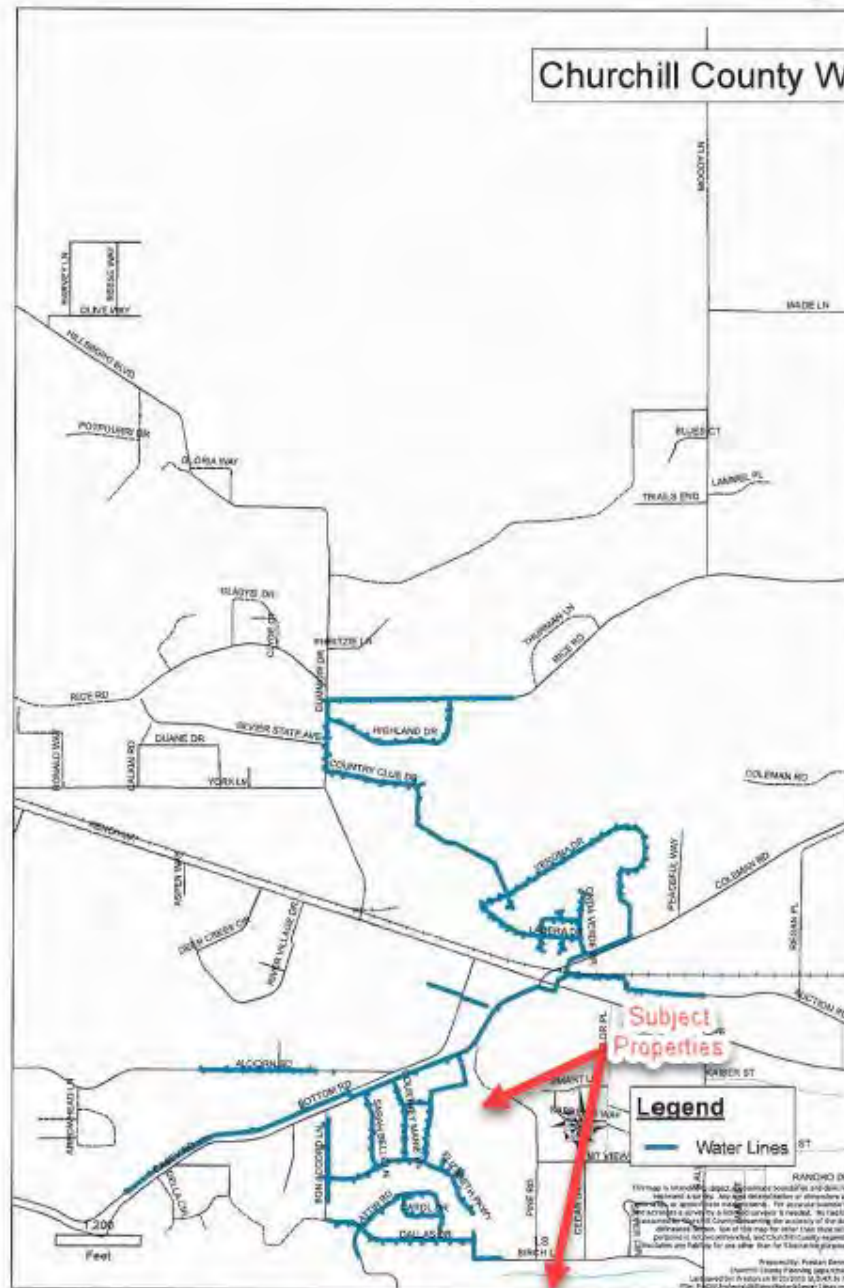
CP.II

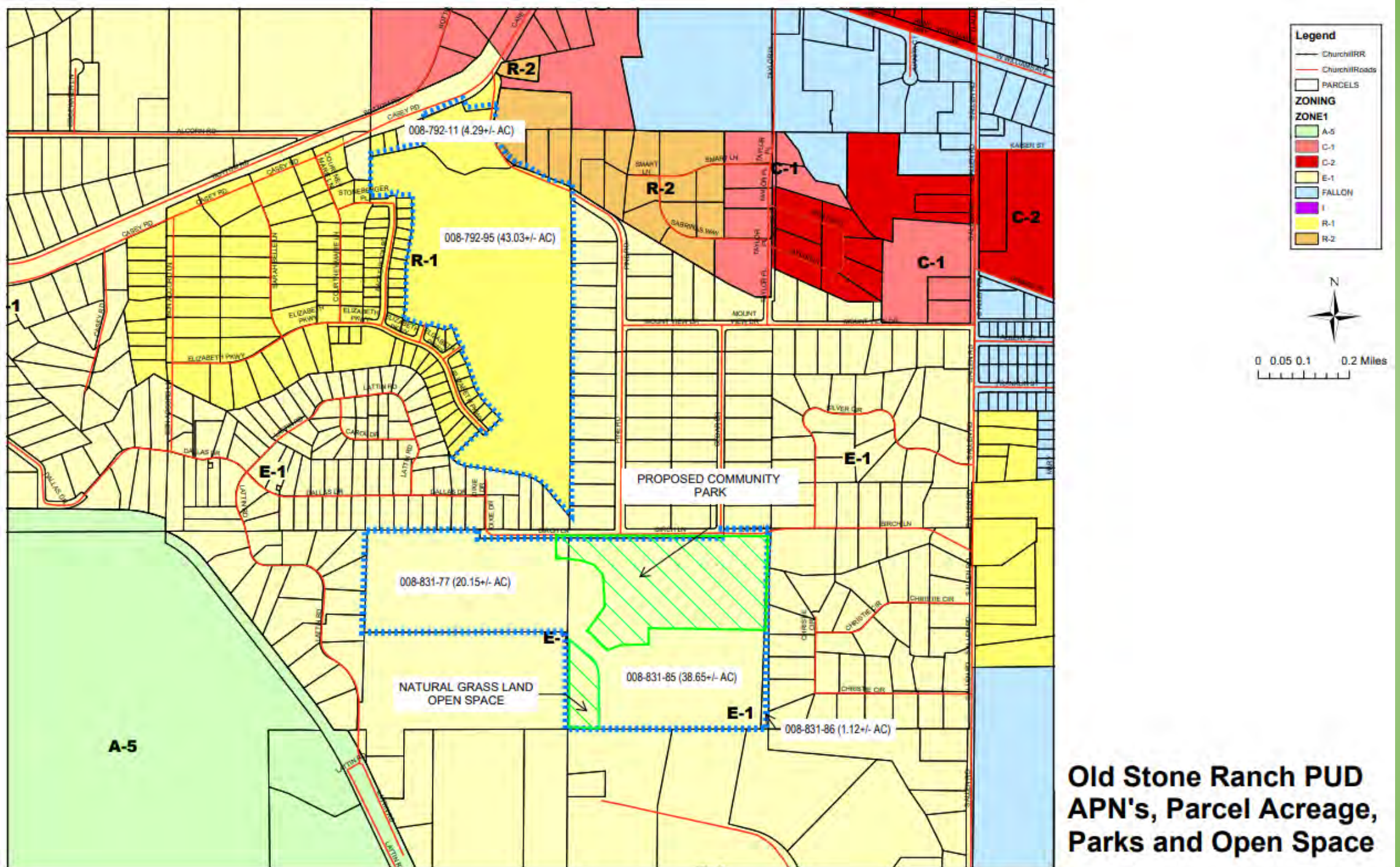
CP.II

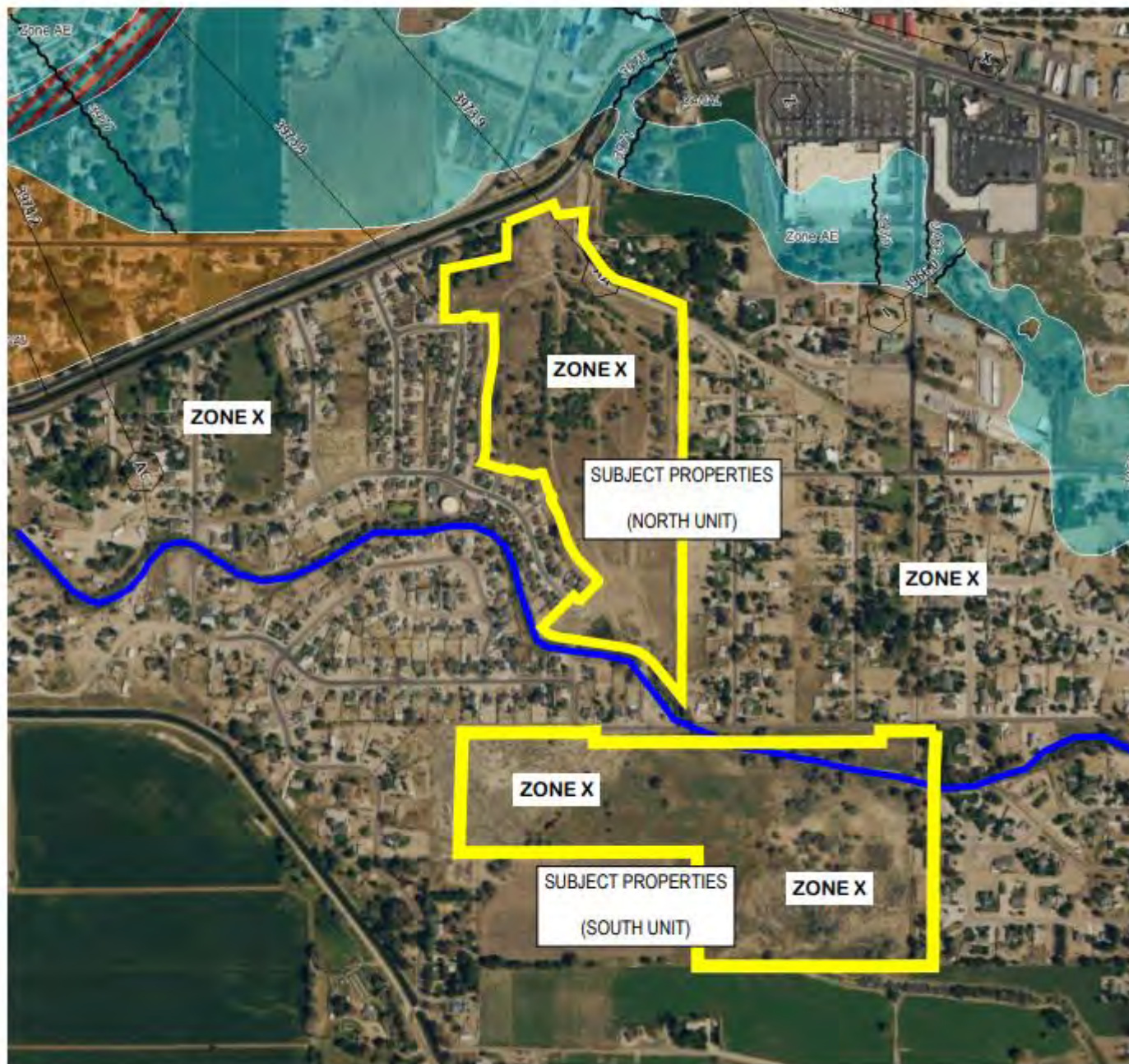
Conceptual Detention Area Exhibit



Churchill County Water and Sewer Lines







Flood Hazard Boundaries

— Limit Lines

— SFHA / Flood Zone Boundary

— Approximate Location BOR Drain Structure
(Structure on Site to be piped)

Flood Hazard Zones

1% Annual Chance Flood Hazard

Regulatory Floodway

Special Floodway

Area of Undetermined Flood Hazard

0.2% Annual Chance Flood Hazard

Future Conditions 1% Annual Chance Flood Hazard

Area with Reduced Risk Due to Levee

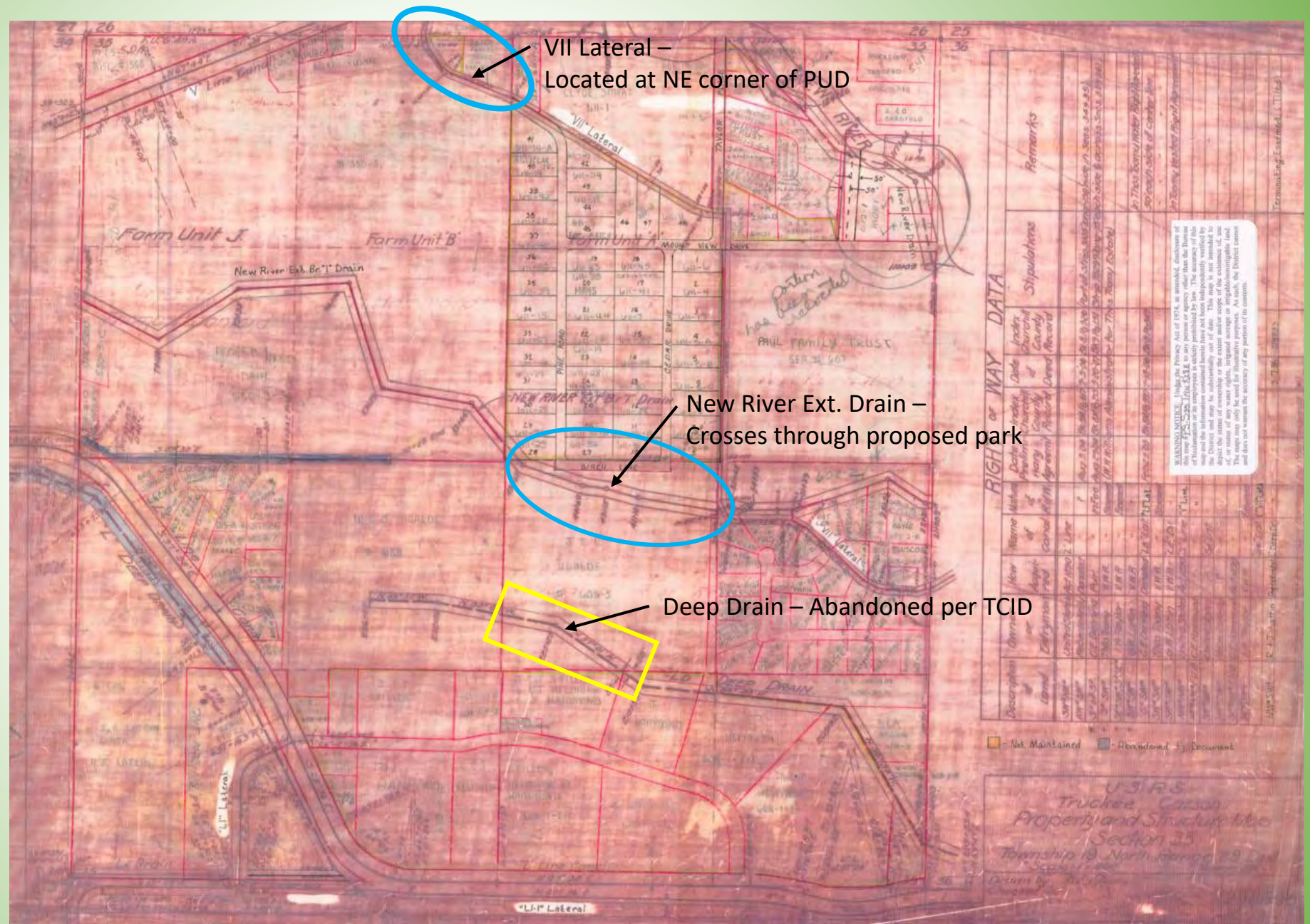
Area with Risk Due to Levee



0 0.05 0.1 0.2 Miles

Old Stone Ranch PUD Flood Zone and Existing Structures

BOR Structures



Pre-Defined Per 2004 Final Map





CHURCHILL COUNTY
PLANNING
COMMISSION
HEARING

July 13, 2022

7-251-06

008-

008-141-03

008-141-16

008-141-21

008-141-19

RENO HWY





6840 Reno Hwy

Legend

- 6840 Reno Hwy
- Feature 1
- Feature 2
- Property Line
- Pumphouse to fence 63.68 feet

6840 Reno Hwy

Septic Tank

BARN

Pump House

The Rock Shop

MOVED

WELL

Power Pole

TRAILER

Google Earth

100 ft

Legend

- 6840 Reno Hwy
- Feature 1
- Feature 2
- Property Line
- Pumphouse to fence 63.68 feet

6840 Reno Hwy

 Feature 1

Feature 2



Prosperity Line

 Pumphouse to fence 63.68 feet

6840 Reno Hwy

Septic Tank

BARN

Pump House

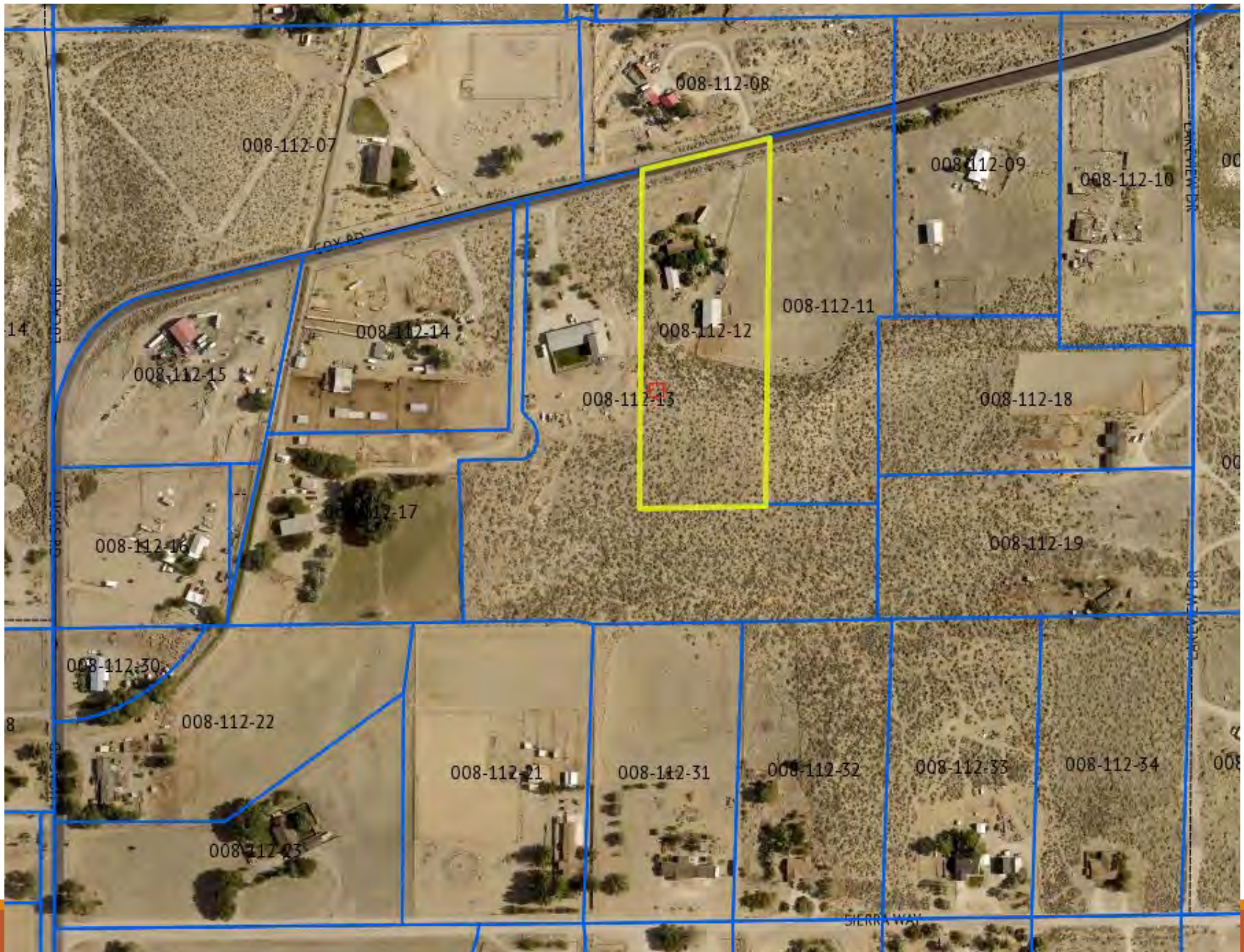
The Rock Shop

Power Pole

Digitized by Google

100 ft

Trillo HB SUP Application, 6901 Cox Rd, APN 008-112-12





NORTH



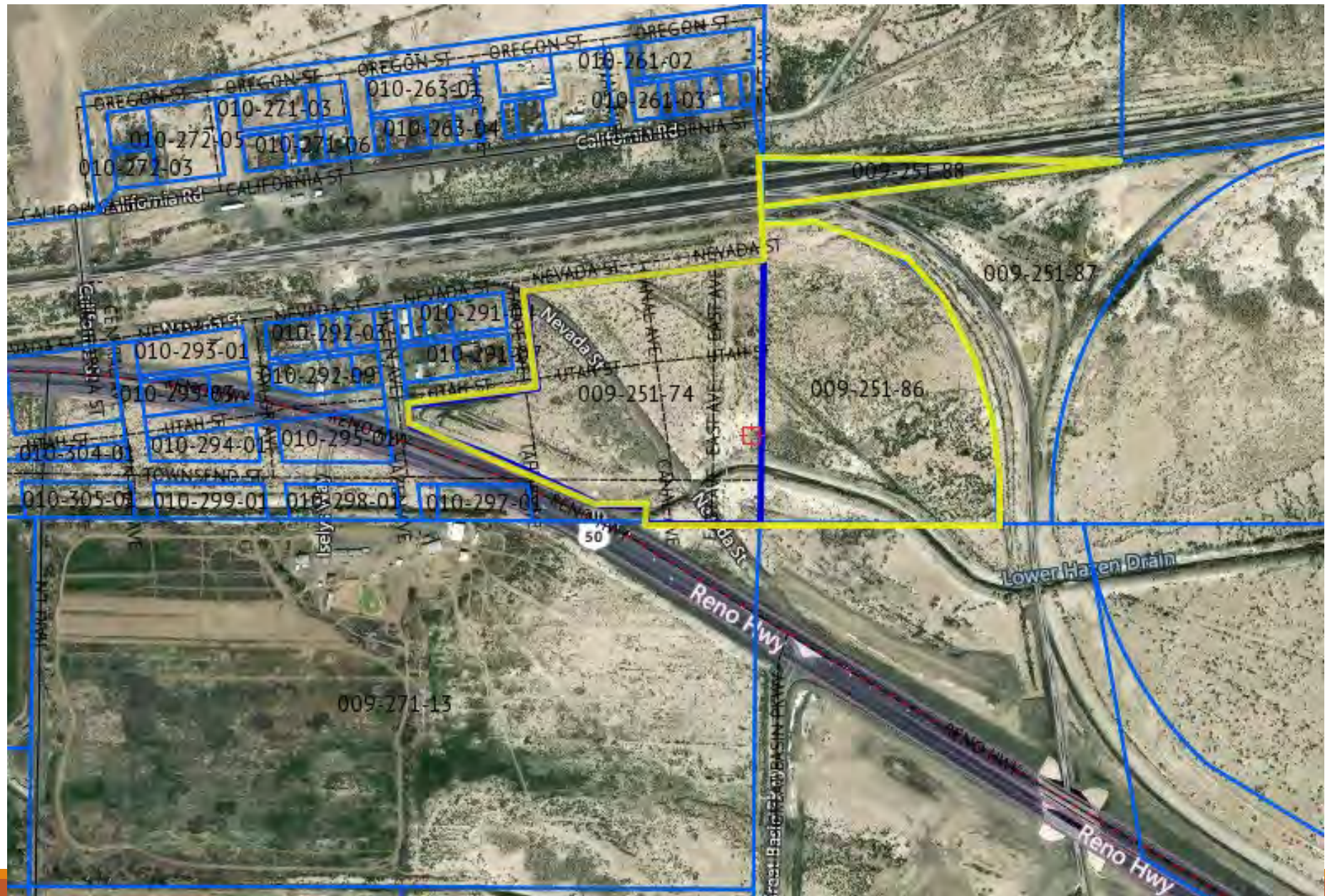
Stanislaus Farm Supply Variance, 600 Gummow Drive, APN 008-391-10







Omaha Track Major SUP, 1006 Nevada St, APNs 009-251-74, 009-251-86 & 009-251-88

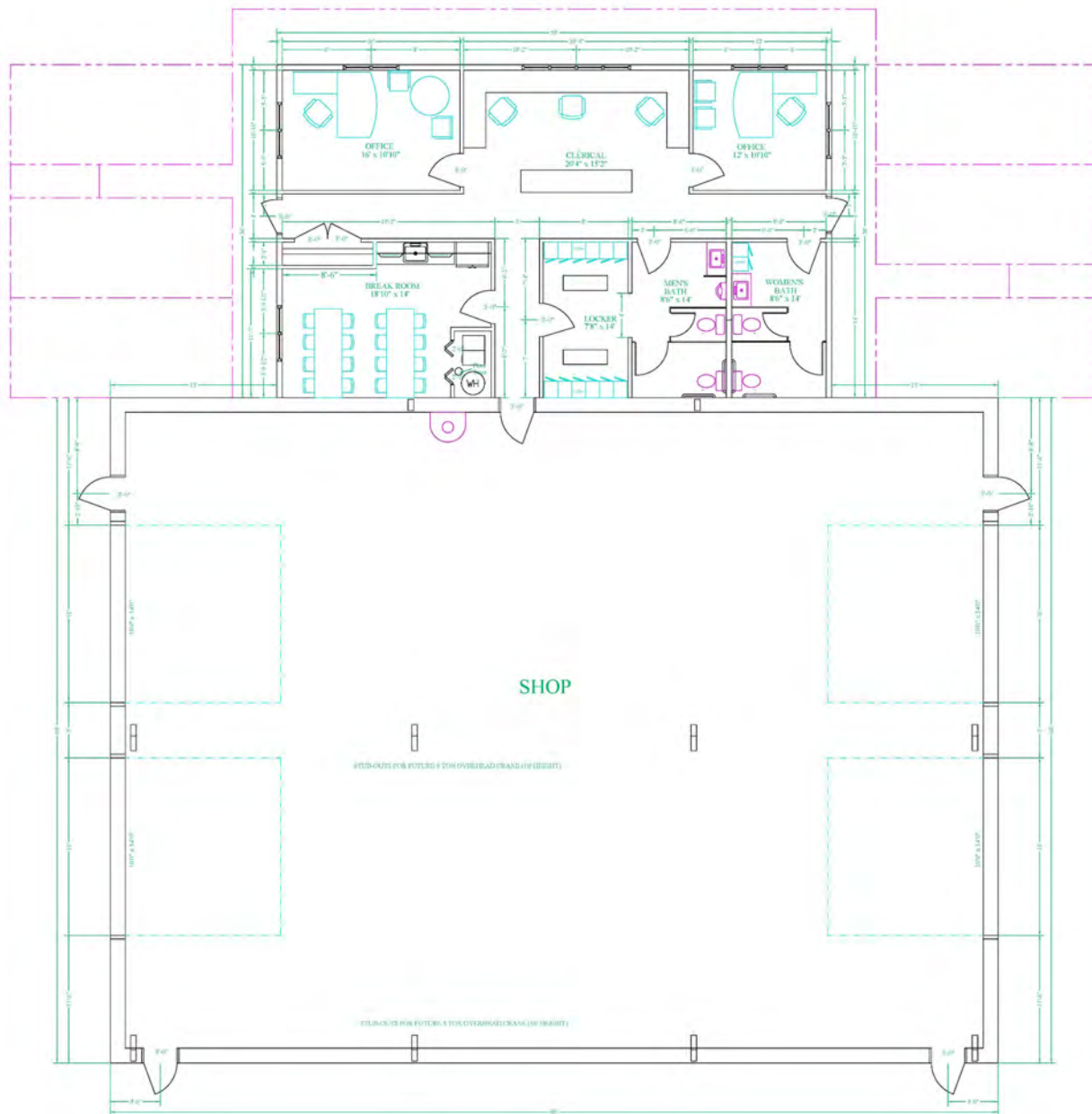


Lot 1 – Yellow

Lot 2 – Teal

Lot 3 – Pink

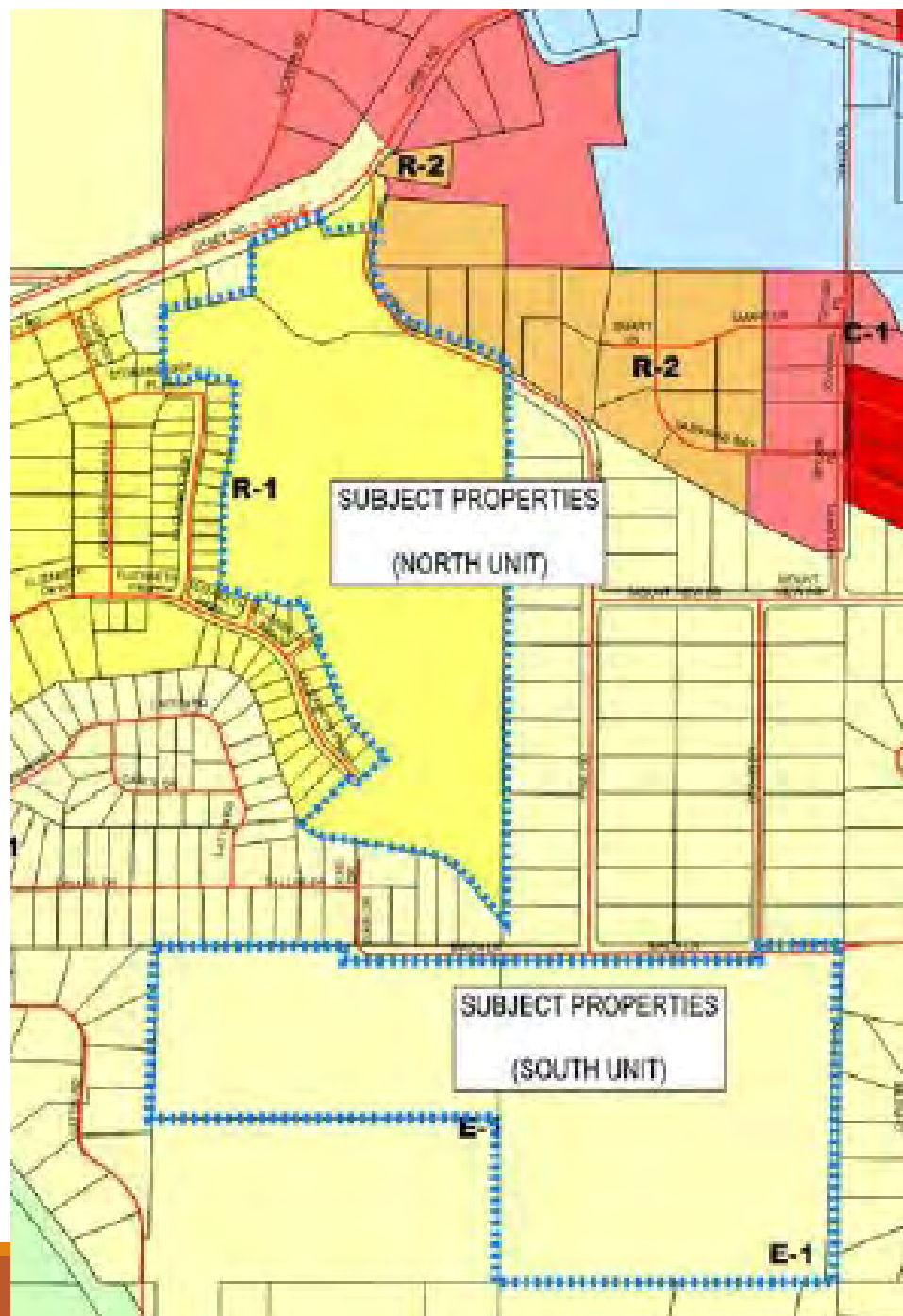


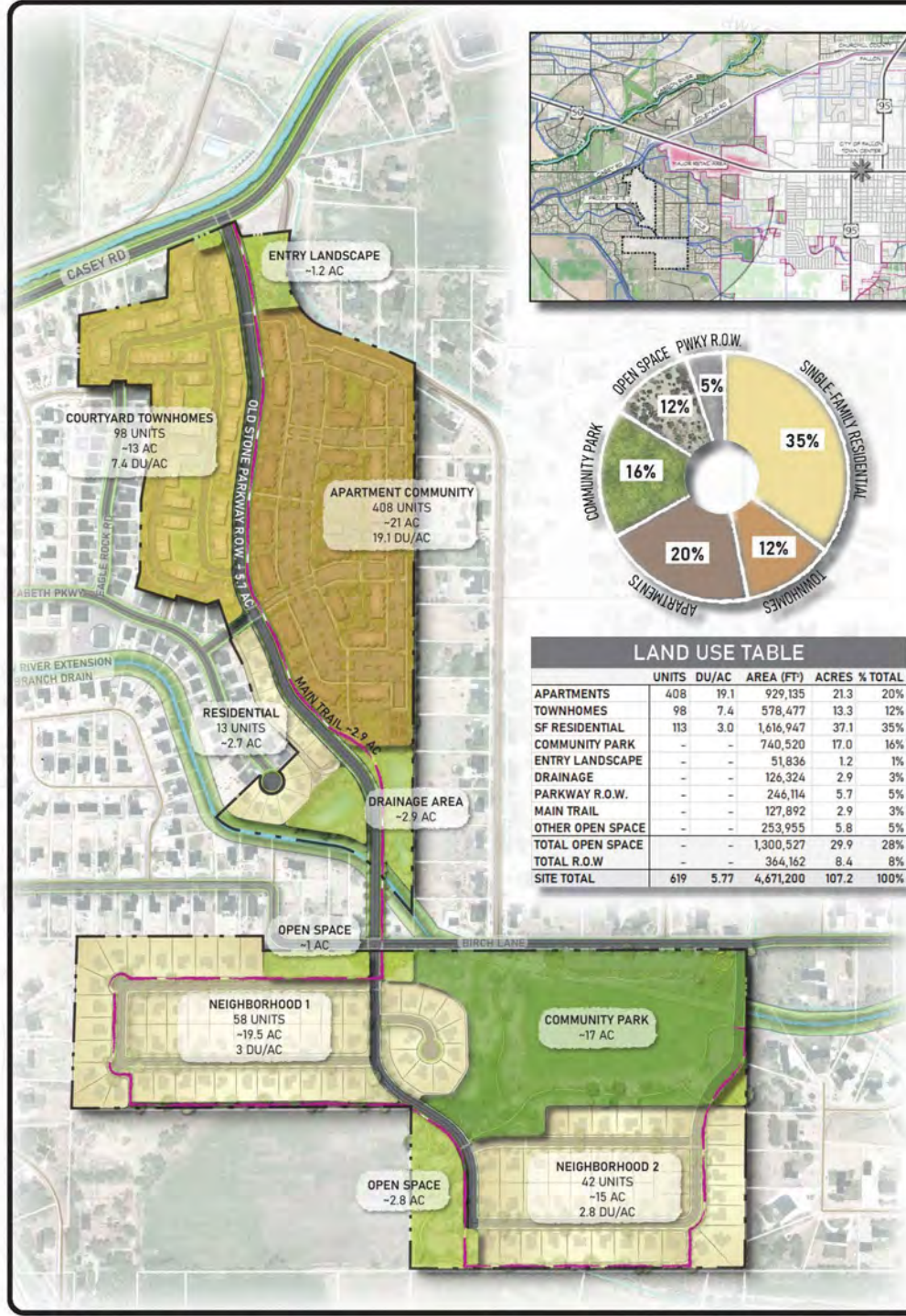




Old Stone Ranch
Conceptual
Planned Unit
Development
Casey Rd to Birch
Ln & South of
Birch Ln







Apartments – Architectural Concepts



Village 1 – Townhomes – Architectural Concepts



Villages 2 & 3 – Single-Family – Architectural Concepts







Birch Ln and Allen Rd



EXISTING INTERSECTION



PROPOSED INTERSECTION



Consent Agenda

CHURCHILL COUNTY PLANNING COMMISSION MEETING

155 North Taylor Street, Commission Chambers

July 13, 2022 at 7:00 p.m.

Name	For Which Agenda Item	Contact Info
Cheryl Doty	Omaha Track	Cheryl Doty 775-229-0275
Dale White	E. Old Stone Rd	867-3575
Don Averill	Old Stone Ranch	
Ernest Morgan	Old Stone Ranch	775-423-4692
James Morgan	Old Stone Ranch	775-867-2817
Meg Ridge	Omaha Track	775-217-2124
Jim Sauer	OT	480-584-8025
R Callard	-	-
Terri Pearson	Rock Shop Caretaker	775-427-8097
Holly McPherson	Old Stone Ranch	775-426-9677
Ryan McPherson	Old Stone Ranch	775-217-3273
Dave Snelgrove	Old Stone Ranch	775-856-7073
KATHLEEN KNIGHT	OLD STONE RANCH	775-856-7074
REFUGIO TRILLO	Business licence	775-203-5229
Ed Byrd	Old Stone	775-423-7218
Brett Bontzinger	Old Stone	775-423-0940
Rosie Mote	Old Stone Ranch	775-428-6974
D McCreary	OSR	775-745-9106
S Stanger	OSR	775-745-6601
Chuck & Nancy Parker	Old Stone Ranch	702-575-7053
Iselys	Hazen Rail	775-217-1040
Allen Hughes	Omaha Track	775-560-3606
Dana Anne Brown	Old Stone Ranch	775-423-2670
Jo Pettemti	The Fallon Post	
Diane Woods	Track	775-217-2578
Grant Mills		217 0944

PLEASE PRINT YOUR INFORMATION

CHURCHILL COUNTY PLANNING COMMISSION MEETING
155 North Taylor Street, Commission Chambers
July 13, 2022 at 7:00 p.m.

Name	For Which Agenda Item	Contact Info
Buel Welch	46 cell	775-217-2593
Sheena Dery	Stonecabin	775-217-7406
5-5-2022	" "	" "
Marilyn Myers		775-217-0359
Shelby Helton Magaña	old stone	775-200-2057
Joseph Magaña	old stone	
Eric Jim Souba	Old Stone	775-217-5534
Aron Schuster	Stanislaus Farm Supply	209-648-4133
DON CHESNEY	STANISLAUS FARM SUPPLY	209-602-6044
ERIC DILLON	DEVELOPMENT COLEMAN RD	775-741-2605
CYNDI DILLON	" "	775-741-3227
Amy Young	old stone Ranch	775-426-8104
Rory Litch	Old Stone Ranch	
Taylor Howell	Old Stone Ranch	209-768-6408
Colt Daniels		
Kim McCreary	Old Stone Ranch	
TREVOR HAMMOND	OLD STONE	775-771-065
Steve Bliss	OLD STONE	775-217-6405
Raena Bliss	Old Stone	775-217-7063

PLEASE PRINT YOUR INFORMATION