

MINUTES OF THE CHURCHILL COUNTY PLANNING COMMISSION

155 N. Taylor St., Fallon, NV 89406
December 14, 2022

1. Call to Order:

The regular meeting of the Planning Commission was called to order at 7:00 p.m. on December 14, 2022 by Vice Chair Yates.

Present: Shane Yates, Vice Chair; Zack Bunyard, Member; Deanna Diehl, Member; and Scott Nelson, Member.

Absent: Paul Picotte, Member.

Planning Staff Present:

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

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:

Vice Chair Yates noted that there were a large number of people in the audience and stated that he was aware that there are several items on the agenda that will have significant interest to the public. He said that they will give everyone an opportunity to give public comment. In the interest of making sure that everyone has a chance to make public comment, there was a three minute limit set per speaker. He further assured that there would be public comment at the beginning and at the end of the meeting and before each item on the agenda. Vice Chair Yates reminded everyone that this is a place for public discourse, that every speaker is entitled to give their comment in a safe, open environment, free from intimidation. To that end, he asked that people do not clap, cheer, boo, hiss, stomp feet, or otherwise disrupt the meeting, intimidate, or attempt to intimidate any speaker. Disruptive audience members will be asked to leave the chambers. We would also ask that when anyone comes up to make public comment, come to the table, sit in the chair, give your name and address for the record, and then make your comment. During your comment, if you have questions, these will be directed only to the Planning Commission, not at any of the applicants or staff. Questions should only come to the Planning Commission, and then if they deem them necessary, then they will ask it of the person(s).

There were no public comments at this time.

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 December 8, 2022, between 8:30 a.m. and 5:00 p.m., at all of the locations listed on the agenda, in accordance with NRS 241 and the Churchill County Code.

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

Vice Chair Yates asked for any changes to the agenda. The Administrative Assistant stated that Item 9.D., regarding A & K Earthmovers, it was asked to postpone this item until the January 11, 2023 meeting.

Member Bunyard moved to approve the agenda as amended. Member Nelson 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:

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

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

A. October 12, 2022 Public Hearing

B. November 9, 2022 Public Hearing

Member Bunyard moved to approve the October 12, 2022 and November 9, 2022 minutes as written. Member Diehl seconded the motion and the decision carried by unanimous vote.

8. Old Business

A. Consideration and possible action re: Amendment, reexamination or revocation of a Special Use Permit previously issued to Omaha Track for a rail-based services facility that was approved on July 14, 2022. The facility is 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 districts. The facility had a major fire in which most of the inventory of railroad ties burned up, and in which the County, residents, and businesses were affected. The Planning Director and Omaha Track jointly recommend an amendment to the Special Use Permit to address fire safety concerns as outlined in the December 2022 Fire Plan.

Joe Sanford, Deputy District Attorney—Civil, reminded the commissioners that this action came before them in September 2022 after a fire out at the facility. At that point in time, the commission asked for the matter to be tabled, so that staff could make updates and consider discussions with Omaha Track. Staff, as well as the Fire Department, spoke numerous times with Omaha Track and made a number of additional comments and changes to the Fire Plan, safety and updates. After that, we had a stipulated agreement requesting an amendment to the special use permit conditions, which was signed by Omaha Track's representative, as well as the County Public Works and Planning Department. This agreement incorporates all of the changes to the Fire Plan as well as changes to the conditions of the special use permit to reflect safety conditions for fire. The Department has asked that you adopt the amendment changing the special use permit.

Meg Ridge, 1006 Nevada Street, Hazen, said that they have been working closely with Dean Patterson, Chris Spross, Joe Sanford, and Mitch Young (Fire Department). She thinks that they have done everything that has been asked. They are working really hard to make sure that they are doing everything properly, so that they can continue to operate.

Member Diehl asked Loreli LeBaron to report on this item. Loreli LeBaron, Code Compliance Official, said that she conducted a lighting inspection on December 7, 2022 and determined that they were in progress of bringing these into compliance. They are working through

the conditions of approval, and it is just taking some time. Joe Sanford asked if she could report on their compliance with the Fire Plan, and Ms. LeBaron said that Mitch Young has been working with them on the Fire Plan. As far as she knows they are working through this, and currently are getting their trucks ready and the ability to hold the amount of water that is needed. That was the last of the involvement that she knew about.

Vice Chair Yates asked if there was any public comment on this item, and there were none. Therefore, he called for a motion.

Member Bunyard moved that the conditions of approval for the special use permit granted on July 13, 2022 to Omaha Track be amended as set forth in the stipulated agreement requesting amendment to special use permit conditions. Member Diehl seconded the motion, and the decision carried by unanimous vote.

9. Public Hearings & Agenda Items:

A. Consideration and possible action re: A sending site application filed by C & A Rentals LLC, managed by Colby & Ashley Frey, for a sending site located at 9125 Flying K Ranch Road and 8500 & 9170 Pasture Road, APNs 006- 092-05, 006-093-18 & 006-093-19, consisting of +/-707.5 total acres with +/-408.35 total water righted acres in the A-10 zoning district.

Director Spross shared pertinent information from the staff report regarding this application, as well as the criteria that had been met for this application for a sending site. He shared that the Sending Site Review Committee recommended approval for this application at their meeting on November 7, 2022. They recommended a total of 762 Transfer of Development Rights (TDRs). It is the staff's recommendation to approve this application as presented. The applicant was not in attendance.

Member Bunyard noted that he would need to abstain from the vote on this item due to a conflict of interest.

Vice Chair turned the discussion over to the commissioners.

Member Diehl asked if Colby Frey was aware that a conservation easement will be on the properties forever, and Director Spross stated that Mr. Frey is very aware of this. Diane Moyle, Administrative Assistant, shared that Colby Frey has had conservation easements placed on several properties that he has ownership or operates the farming.

Vice Chair Yates asked for public comments. Tom Riggins questioned whether they could take action on this item since there wasn't a majority of votes from the number on the board and not a majority of the quorum with Member Bunyard abstaining. Joe Sanford, Deputy District Attorney—Civil, reported that he has researched this, and it will be a valid vote. He pointed out that some boards have elected members, and some have appointed members. The elected boards have more restrictions on voting; however, with this commission they need to have a quorum present and then the vote must be a majority of the quorum. Vice Chair Yates called for a motion.

Member Nelson, based on the information provided in the application, in the staff report, and heard tonight, moved to recommend the following to the Board of County Commissioners: (a) approval of the sending site application for C & A Rentals on property at 9125 Flying K Ranch Road, 8500 Pasture Road, and 9170 Pasture Road (APNs: 006-092-05, 006-093-18, and 006-093-19) consisting of 707.5 acres with 408.35 acres of surface water rights, based upon meeting the criteria for a sending site; and (b) approval of 762 TDRs for the same property. Member

Diehl seconded the motion and the decision carried by a vote of three (3) with one (1) abstaining.

- B. Consideration and possible action re: An application for a variance from the minimum lot area required in Churchill County Code 16.16.020.1 filed by Nancy Corbett for property located at 8750 Pioneer Way, Assessor's Parcel Number 007-151-82, consisting of 20.06 acres in the A-10 zoning district. The applicant wants to divide the parcel into two lots to separate the farmland from a 3-acre homesite.

Director Spross explained that this application is for a variance from the 10-acre minimum lot size. He shared some information from the staff report and pointed out that the family would like to separate the farmland from the homestead and combine the farmland with the irrigated land and homestead that Nancy Corbett owns at 9000 Pioneer Way. This request is related to estate planning purposes, and Mrs. Corbett would like to add the farmland to what she already owns. Director Spross pointed out that the variance will allow a boundary line adjustment that would shrink the subject property to approximately three acres and the remaining farmland to be added to what Mrs. Corbett currently owns making it approximately 29 or 30 acres.

Nancy Corbett, 9000 Pioneer Way, was available to answer questions.

Vice Chair Yates asked if the Planning Commission had any questions for the application, and since there were none, he inquired if there were any public comments; there were none.

Director Spross went over the findings that would be necessary in order to approve the variance. He further outlined how each finding applied to this application. He noted that if strict application of the code were required, the properties would have to be divided into two 10-acre lots, which would divide the farmland, and this would impair its function and eventually removes it from production due to the small lots. There would also need to be a reconfiguration of the water delivery system in order to provide water to each of the smaller fields. He went over the recommended conditions should this application be approved.

Vice Chair Yates 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 16.08.090(F), as described in the Staff Report. Member Diehl seconded the motion and the decision carried by unanimous vote.

Member Nelson, based on the previously adopted findings made for this project, moved to approve the request for a Variance from the 10-acre lot size requirements in Churchill County Code Table 16.16.020.1 and CCC 16.08.150 for Nancy Corbett on APN 007-151-82. This approval is subject to conditions, as listed in the Staff Report. Member Bunyard seconded the motion and the decision carried by unanimous vote.

Recommended Conditions:

- 1. The approved lot size is approximately 3 acres, with the lot line expected to follow the edge of the large farm field north of the farmstead.*
- 2. The approval of this variance expires one year from the date of the final decision. An application for a Boundary Line Adjustment to create the approved lots must be submitted*

before expiration.

Vice Chair Yates thanked the applicant.

- C. Consideration and possible action re: A special use permit to expand the existing chemical manufacturing facility filed by Safety-Kleen Systems, Inc. The property is located at 22211 Bango Road, Assessor's Parcel Numbers 007-071-80 and 007-071-81, consisting of 15.48 and 15.02 acres respectively in the Industrial zoning district. The applicant proposes to add a hazardous chemical tank for n-methyl pyrrolidone (NMP) as storage for rail delivery.

Director Spross went over pertinent information from the staff report. Earlier this year Safety-Kleen Systems obtained a special use permit to include glycol recycling and additional administrative offices in their facility. During that review it was observed that the chemical storage tank that was proposed in this application was located along the railroad siding that serves the facility. It is fitted with pipe attachments for filling and emptying, and the tank sat with a portable soft sided spill containment system. The tank holds regular deliveries of the chemical until there is enough volume to ship it out by rail. Staff commented that the containment appeared to be too small to contain a tank failure. Staff also pointed out that hazardous chemical storage requires a special use permit, as does expansion of the chemical facility, so the company committed to getting the storage tank permitted. Staff pointed out that the chemical tank is outside of the existing facility perimeter, and the unsecured location next to Bango Road allowed easy access by vandals or criminal elements. The company has proposed measures in this application to remedy this situation by extending the fencing to include this as part of their facility operation. This application also proposes to pave the truck transfer area and enlarge the containment area around the tank for containment purposes.

Chris Balhoff for Safety-Kleen Systems Inc., 22211 Bango Road, was available for any questions.

Member Bunyard inquired how often would this chemical be loaded into a railcar, or how many truck trips would be made to this tank. Mr. Balhoff responded that it would be around six to eight trips per week, which would be within their allocation for their permit. He commented that he had a quick presentation to share. Member Nelson questioned if the presentation covered information about the chemical, the storage tank, and containment. Mr. Balhoff confirmed that it does talk about the storage tank and spill containment. He further stated that the information about the chemical was submitted with the application. Chris Balhoff went through his presentation, which is attached for reference. He went over what is being processed at the facility and the recycling benefits. He stated that the storage tank will hold 21,000 gallons with a secondary containment for the NMP. This chemical is brought in with trucks originating from a customer location, and loaded into this storage container until it has reached capacity such that it can be transferred to a railcar for transport to a Clean Harbors recycling facility. Mr. Balhoff noted that Safety-Kleen is a subsidiary of Clean Harbors. This will be included within the fence line of the facility; however, it is separate from the used oil re-refining operation. It will have a secondary containment sized for the tank capacity, plus precipitation from a 24-hour, 25-year storm event. This will prevent NMP from reaching the ground in the event of unexpected leaks or spills. The facilities' security fence line will be extended to include this tank to prevent unauthorized access to it. The tank will be inspected daily to ensure that there are no leaks, deterioration or damage. Asphalt will be extended for smooth access for truck traffic and eliminate any congestion. NMP has a mild odor, and they do not expect any odor to extend beyond the site perimeter. Chris Balhoff said that the NMP truck trips will not exceed Safety-Kleen's permit for allowable truck traffic. He

shared a photo of a similar tank to what is onsite and a map showing the location of this tank. He then went through the improvements and safety record of the facility since Safety-Kleen took over the facility.

Vice Chair Yates asked for any questions from the commissioners.

Member Diehl asked if Safety-Kleen had obtained the state permits for storage of the chemical, and Mr. Balhoff confirmed that they have. Member Diehl then inquired if they obtained the building permits for what they need to do. Chris Balhoff replied that based upon the outcome of this hearing, they do plan to have the Building Department look at it. Member Diehl questioned if they were planning to make it safer than it was when staff was at the site. A photo that was taken of the tank when staff visited was displayed on the screen. Mr. Balhoff noted that the containment would be made larger and the fencing would be extended (as noted on the site plan that was displayed on the screen) to include this tank into their facility security area.

Vice Chair Yates asked for any further questions; there being none, he asked if Mr. Balhoff could give a very quick, in lay-man's description what NMP is and where it is coming from. Chris Balhoff answered that NMP is a solvent that is used for cleaning and different manufacturing applications. It is coming from a customer that is using it as a cleaning solvent. It is spent solvent, and when it is brought to them, they send it to another facility within Clean Harbors that is not in Nevada to recycle and sell it back into the market.

Vice Chair Yates inquired if there were any public comments, and there were none. He then turned the time over to Director Spross, who went over the findings of fact that needed to be made in order to grant this permit as well as outlining areas where these were met and how recommended conditions could mitigate areas of non-compliance. He stated that the Fire Department had been consulted on this application.

Vice Chair Yates 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 APNs 007-071-80 & 007-071-81. Member Diehl seconded the motion and the decision carried by unanimous vote.

Member Nelson, based on the previously adopted findings made for this project, moved to approve the Special Use Permit application for Safety-Kleen Systems to authorize a chemical storage tank on APNs 007-071-80 & 007-071-81. This approval is subject to conditions, as listed in the Staff Report. Member Bunyard seconded the motion and the decision carried by unanimous vote.

Recommended Conditions:

- 1. The proposed environmental safety and security measures and changes required in the conditions of approval shall be installed within 90 days.*
- 2. Within 30 days, the following items shall be implemented. A Spill Kit shall be kept at the chemical tank. The site's operations manuals, emergency response plans, and SDS Handbook shall be updated to incorporate issues related to the proposed chemical storage. The applicant shall inform and coordinate with emergency responders regarding the new chemical and new facilities.*

3. *Crash protection measures must be installed around the spill containment system using standards similar to the protection of fuel storage tanks and that are acceptable to the Fire Marshal.*
4. *All appropriate state permits must be obtained and maintained for the proposed chemical tank.*
5. *The truck traffic limit for the overall facility is NOT modified for the chemical tank. Truck traffic must be maintained within the approved limits.*
6. *Previous conditions of approval continue to apply, except as modified by this decision.*
7. *The project must be in conformance with County Code.*
8. *All necessary building permits shall be obtained for installation of all proposed facilities*
9. *The project must remain in compliance with all state and federal requirements.*
10. *Operations shall be conducted in a manner that does not create a nuisance (public or private) under Nevada law or Churchill County Code.*

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

- D. Consideration and possible action re: A special use permit application for a mining operation filed by Bart Hiatt of A & K Earthmovers, for property located off Jessup Exit #78 (Interstate 80), Assessor's Parcel Number 005-091-23, consisting of 640 acres in the RR-20 zoning district. The applicant proposes a mining operation and asphalt plant.

Bart Hiatt requested that this application be tabled until the January 11, 2023 Planning Commission Hearing.

- E. Consideration and possible action re: A planned unit development permit application filed by Nev Dev, LLC. The property located is near Casey Road and Birch Lane, on Assessor's 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 in the R-1/E-1 zoning districts. The properties were previously approved for urban development, but those approvals have expired. The current development 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 planned unit development is available for viewing in the Public Works, Planning and Zoning Department office.

Vice Chair Yates remarked that Items E and F will be discussed concurrently.

Director Spross stated that the staff report covered Items E and F (Planned Unit Development application and the Planned Unit Development Tentative Subdivision Map. He went over information from the staff report about the properties and applicant. He gave an update on the current process for the Planned Unit Development (PUD) noting that the applicant does have a presentation that they would like to share. Director Spross explained the Conceptual stages that have already been completed sharing that the applicant is ready to move forward with the application to the Planning Commission for its recommendation to the Board of County Commissioners. He went through the code requirements for the PUD permit stage. He further explained the map processes for merger and resubdivision. These are designed to be plans and are not intended to be unchangeable or designed to construction detail. Some adjustments, shifting and minor changes are allowed in the final designs. As a general rule the standard is that the final plan substantially complies with the approved tentative map. Both of these applications receives two hearings—one at the Planning Commission and one at the Board of County Commissioners. Both

require an array of reports and studies that are mostly the same. All studies for the project are packaged into the PUD Handbook submittal and include a traffic study, including multiple letters of amendment, a geotechnical report, a drainage report, grading plans, and preliminary CC&Rs, which are Conditions, Covenants & Restrictions.

Mike Railey of Christy Corporation, representing Nev Dev LLC, shared a PowerPoint presentation regarding the Old Stone Ranch project (a copy of the presentation is attached to the minutes). He introduced Rebecca Bernier with Westex Consulting Engineers, who has been the engineer on this project; Kim McCreary, Jessica Stanger, and Dan McCreary, the principles of Nev Dev LLC; and Paul Solaegui, who is the Traffic Engineer. He shared a map of the overall project and went over the overall land uses they are proposing. He knows that the Planning Commission and many of the public wanted them to just consider single family housing; however, after extensive discussions with County staff, Navy personnel, and reviewing other housing needs studies, it was determined that the county really has a need for multi-family housing, so they feel that the mixed use concept that they have is the way to move forward. He showed a breakdown in acreage for the varying uses. Mr. Railey noted that the common areas in the apartment complex and county park were not included in the open space requirement that they are required to provide as part of a planned unit development (PUD). They chose a PUD in order to have diversified housing options, to increase the quality and aesthetics, to provide community amenities (these are not required with subdivisions) such as trails, open space, enhanced landscaping, to include public amenities (these are not required in a conventional subdivision) including the community park, and to provide for ongoing maintenance of common areas and community amenities. Mike Railey went over some of the updates they have made including increased buffers, limitations on building heights (# of stories), updated the phasing plan, defined public park amenities, and commitments on public improvements.

Mike Railey said that he is sure that everyone knows there is a tremendous housing demand within the community with the continued expansion of the Naval Air Station, job growth—not only in Churchill County, but within the Tahoe Regional Industrial Center and the planned Mark IV project in Fernley (this will add up to 2200 acres and up to 15,000 jobs), as well as retirees, who are relocating to the area, as well as those retiring within the community, and then generational growth. There are people that grew up here and would like to make their home here, but they cannot find housing within the community. He went over the types of residences and where these were planned. He also noted the open areas and pedestrian trails. He brought up that the townhomes would be plotted as individual units for purchase instead of being rental units. Mr. Railey spoke about the upgraded amenities to be provided with the apartments, including a clubhouse and swimming pool. The two-story apartments would be on the east side and the three-story apartments on the west side, so that those nearest the single family residences outside of the development would not be adjacent to the three-story structures. There is also an 80' minimum building setback on the east side. The community park will include seven acres of sports fields. They have heard huge demands from local leagues and park users that there are not enough flat field space in Fallon, so this will definitely serve a community need. This park will be public and not private, provide restroom facilities, have lighting improvements, walking paths and community trail connections, parking areas, and will preserve existing healthy mature trees in that area. All of the open space areas will be owned and maintained by the Homeowners' Association, but it will be open to the public.

Mr. Railey briefly went over the phasing plan for road improvements along with the development of the residential housing areas. The phasing plan also includes portions of the community park, so that amenities are included with the residential development and not left to the

end. This also commits the developer to completing these projects. He also noted that they are committing to make the roadway improvements with the first phase, and even before residential construction begins. They would like to address the concerns with traffic that have been expressed throughout the conceptual phase of this project by implementing the Casey Road and Birch Lane/Allen Road improvements at day one of construction of those phases using those roads (northern units—Casey Road and southern units—Birch Lane and Allen Road).

Mike Railey pointed out that Solaegui Engineers did a comprehensive traffic impact analysis for the Casey Road connections, which was reviewed by Churchill County. The scope was coordinated with Churchill County and Nevada Department of Transportation (NDOT). The mitigation measures identified in the study are incorporated into the PUD. They have fast-tracked these improvements and committed to completing them concurrently with the new development. The developer has also agreed to stripe Allen Road from Sheckler Road to Williams Avenue, which would occur with the initial phase of development. Mr. Railey also went over the infrastructure and services for the development and noted that they have worked with Nevada Division of Environmental Protection (NDEP), Bureau of Reclamation (BOR) and Nevada Division of Wildlife (NDOW), along with Churchill County. He shared some engineering considerations that they must meet for the project.

Mr. Railey went over the current housing conditions in Churchill County and stated the future demands that are likely needing to be addressed. Some of the housing that is needed most is multi-family/townhome units, which is forcing residents out of the market. There are estimates as high as 20-25% of base personnel living outside of Churchill County based upon current housing demands. He showed a copy of a letter that this developer has received from the Navy regarding needed housing, and he went over portions of the latest Housing Needs Assessment completed for Churchill County outlining housing needs in the area. He brought out that only 10% of the total housing inventory is made up of multi-family units. He said that he did some comparisons from other rural counties including Elko, White Pine, Washoe and Carson City, and they average 20-30% of their total inventory being multi-family units. Mike Railey demonstrated in the 2021 Housing Needs Assessment for Churchill County that there is a significant shortage of housing for the county. He concluded from other analysis that the townhomes they are proposing fit a niche market in Churchill County for people that can't afford to buy a single family residence on a plot of land. These allow renters, who want to buy a home, the ability to move up into home ownership opportunities. Mike Railey then listed some points that show how this project meets the required findings for approval by the Planning Commission.

Director Spross added for clarity related to the density calculations:

- Base zoning density averages 5 units per acre for the north unit and 2 units per acre for the south unit, so the maximum number of units would be 341. The average density for the entire site would be 3.2 units per acre.
- Normal PUD density increases the base density to 5 units per acre for the north unit and 3.2 units per acre for the south unit, so the maximum number of units would be 428.
- Request Bonus Density by providing a community benefit that is over and above the normal requirements. The maximum average density is 8 units per acre for the north unit and 5 units per acre for the south unit, so the maximum number of units would 678, or 250 bonus units. The development of that community park is the request for the bonus density as part of this PUD.
- The proposed density is 617 units, which is 189 bonus units. In exchange the applicant proposes to add the community 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 the open space areas in the project. The park is over and above the normal 20% open space requirement bringing the total open space to 31.4 acres. The proposed density for the project is 5.7 units per acre with an allowable of 6.3 units per acre if that bonus density is approved.

Vice Chair Yates asked for any public comment and reminded everyone to keep their remarks to three minutes and stay on point.

Jackie Ugalde, 1680 Lattin Road, on the south side of this project. Asked regarding the fencing of the properties that would border her property and whether there would be separate fencing provided for the homes in the development instead of using her property fence. She also inquired about what appeared to be a road going up to her fence. She said that it wasn't clear on the map provided to her if that was a road or some other type of access, and she wanted them to know that no one should have access to her property whatsoever. She further said that it appears that there is some type of trail network and natural wildlife corridor right along the fence line, and she wondered if that would be open to everybody that has homes in this area. She expressed concern about children coming over and destroying other people's property. She wants to know how secure her property line is going to be from theirs.

Nancy Hogard, 1495 Pine Road, stated that at the last meeting it ended with the public stating that they didn't want a park if they would just have regular housing. She had understood that they would rework the project south of Birch as they had discussed; however, it appears that it is the same as it was before. She would like to see more information on the wildlife corridor. She inquired concerning the roads and whether they would be paved and supported by the county, and if the county would support the additional crime, fire, and other needed information. With regard to traffic, apparently, the requirements are for two ways in and two ways out, which would mean Casey Road and Birch Lane. She still doesn't see any improvement in that even with the turn lanes and striping. Birch Lane empties into Allen Road, and Allen Road is a mess from Highway 50 to Sheckler Road in both directions. At the last meeting it was stated that the traffic lights supported those intersections, but she doesn't think that those people live here. In the last meeting, which she believes was in July, she had made some assumptions having thought that she recognized vehicles from the more northerly part of the area that were coming down and going out on Birch Lane. She did not know that the traffic was as intense on [Casey] Road as it was on Birch Lane. After Mr. Yates spoke, she was surprised and obviously wrong. Both exits leave a lot to be desired, and she has traveled on both exits. After Birch Lane empties onto Allen Road and then Kaiser runs into the businesses and clear to Highway 50 it isn't uncommon to sit through three light changes to get through the intersection during the day, not at rush times in the morning and evening. She doesn't think that turn lanes are going to fix a lot. There is going to be a lot of traffic onto Allen going up to Silver Circle and Mountain View. [Casey] Road has limits because of the [canal] on the northerly side. She noted that one summer there were three accidents on three consecutive days at the traffic light intersection.

Don Averill, 1420 Dixie Drive, stated that in July he had asked how the developer was going to come up with the 8 million gallons per month for the properties that they are showing in the development and also there was 450 kilowatt hours per month. He still doesn't see anything that shows the infrastructure on this project. He doesn't know where they are getting the water from. If they are intending to get it from the little well that is on the north end of that property, that's an emergency well for our county water system, not for this project. He isn't sure where they are going to get enough sewer capacity to carry over twice the amount that they are currently putting in it. He

requested in July that he would receive something in writing, and as yet have not received anything. He still requests this information in writing.

Debbie Dunham, 1355 Allen Road, said that she has lived there for a very long time, and the traffic is horrific. She has heard about them making changes on Allen Road and Casey Road. She questioned what exactly they were going to do. Are they going to be putting in turn lanes, and if so, where is the extra footage going to come from? Is it going to come up against her property? She is also concerned about the well water. They have a very shallow well, so if that water is going to affect her well, she needs to know. This is a very big concern of hers about the water.

Bob Getto, 304 Carson River Drive, operates a real estate brokerage on West Williams Avenue. He was there to speak in favor and support the fact that Churchill County does need multi-family housing of some type. He has had a chance to review many of the different supporting documentation that has been produced either by Churchill County or through other housing authorities. Churchill County is reaching a dangerous point in time where we do need to support the military and to support the rights of folks that do want to move into Churchill County. People who are coming here want to be here for the same reasons that we are here. Unfortunately, growth brings traffic, and he doesn't know of any community that has ever grown that didn't have traffic issues. We do need multi-family housing. There is a shortage. He has sold real estate in the county since about 1985, and we are at the most crucial point that he has ever seen. Interest rates are going up, and as they continue to climb, it makes housing affordability even tougher for those that want a decent place to live in the community where their kids go to school and where they work. As interest rates go up, he believes that the demand for multi-family housing becomes greater because folks are going to be priced out of the market as they are now. Another reason to consider multi-family housing of different types is that it is the duty of our community to support that and try to find answers to get people into housing.

Marty Ugalde, 1680 Lattin Road, had a comment and question regarding the south part of the development. He irrigates the field and the drainage from that field goes to the south corner, and the map provided doesn't show the significant drainage ditch that is there. He wanted to make sure that the developer addresses this drainage ditch in the plans, so that it remains open and available. He also wonders if this project requires an upgrade to the water existing water treatment plant. He wanted to make sure that the developer also knows that he grows hay during the summer and has cows on the field during the winter.

Director Spross stated that the department received a letter from Dale White, 2607 Elizabeth Parkway, who was not able to attend this meeting. He has reviewed with the Planning Department staff the few changes proposed since the last meeting in July, and his views on the matter have not changed. He is a homeowner near this PUD under consideration. He also served on the Planning Commission for four years in the mid-1990s. His issues are not really about the developer, but about the county and the enabling ordinances that would allow this type of development in this area to begin with. He believes that at the time the ordinances and the zoning were approved there was too little public input, and we need to seriously reconsider the underlying enabling documentation. This will now be the third opportunity for public comment. You may recall at the July meeting before he spoke, he asked for a show of hands from the audience to see if anyone was in favor of the development that was not connected with the project. Not a single hand was raised in support even though there were 60-70 people in attendance. He thinks that should speak for itself. If the Planning Commission approves this as presented and forwards to the commissioners, you are doing the residents a great disservice. He asks that they shut this down and not approve this until serious reconsideration is given to changing this from a PUD back to a simple subdivision with standards

appropriate to an E-1 zoning district. He summarized his major challenges:

- Density—multiple residents have testified that 600+ homes for the 100 acres in this location is simply too many. Density leads to neighbors too close to one another, which promotes conflict and leads to increased law enforcement needs. People get too stressed living close to one another. Think about why people move out of the cities and into the rural areas when they retire. He would support a maximum of 500 homes for this acreage.
- Traffic concerns—again, a vast majority of residents are concerned with traffic congestion and related safety issues on both Casey Road and Birch Lane. You have heard multiple testimonies opposing the increased traffic. Most families have two cars, and many have three or more. This means that for 600+ homes we could expect 1200-1800 additional vehicles using the roadways multiple times per day. If we first address density, then some of the traffic concerns will be alleviated. A second request is that you do not allow a connecting road between Casey Road and Birch Lane. Require instead to “U” shaped access roads that separate the north and south ends of the development, so that there are two approaches from Casey Road and two approaches from Birch Lane. That way the amount of potential traffic on either road is cut substantially. In addition, do not make a connection to Eagle Rock and Elizabeth Parkway, but make this a standalone residential area. This will allow for better traffic flow to Casey Road, as well as enforcement of HOA (Home Owners’ Association) rules.
- No rental apartments—this is a huge issue for most area residents. This is not the right neighborhood for apartments. The City of Fallon has numerous lots identified and available for building apartments. If there was truly the demand for them as we would be led to believe, these lots would be selling and the apartments would be being built. The county should not support this kind of housing in this area. The closest he could come to supporting apartments would be if someone bought the Casey Road trailer park and the adjoining field next to Walmart and built some there. Rental apartments bring with them all of the concerns regarding density, increased crime and law enforcement, potential for trash and maintenance concerns, and on and on. Although he is not opposed to multi-MDUs in general, he would reluctantly support the building of the townhouses as long as the overall density and traffic concerns are addressed. He supports townhomes because they are typically owner-occupied and better cared for. In fact, the HOA should impose restrictions on townhouses being sublet or leased as rental properties. Each townhome should be equipped with a minimum two-car garage per home and fully paved driveways adjoining curb and gutter sidewalks. No more than four homes to a single building complex.
- Common and open areas—Although parks and open areas are nice in the beginning, he is greatly concerned that the county does not have the capacity to maintain them in the long term, and that over time these areas would become run down and unsightly and potentially become another area for crime. Instead of parks, he recommend that extra lots be set aside and designated for potential development of churches, schools, and/or recreational buildings that could support 50-75 parking places and an overall building capacity of no more than 150 people suitable for a neighborhood of this size.

In conclusion, he is asking that the Planning Commission reject the PUD as proposed and readdress these concerns and the vast majority of residents have raised in opposition to this proposal. He asks that his comments either be read into the record or summarized and attached to the minutes of the meeting. He would welcome the opportunity to discuss his concerns in greater detail and meet with the Planning Commission, the developer, the Planning staff, or any others as needed to facilitate a resolution that will satisfy the residents. Mr. White also expressed appreciation

for the service that the Planning Commission provides and thanked them for serving the people of Churchill County and facilitating the democratic process in our government. He also greatly appreciates the Planning staff. We are making better progress at avoiding patchwork planning like we had in the 1990s, but we still have a long way to go to truly develop a sustainable plan for growth over the next 20+ years.

Shannon Urquhart, 2225 Silver Circle, stated that, respectfully, 10 acres is great for a community park, but to offset 617 homes it isn't worth it. Her biggest concern is the influx. She didn't see anything in the plan addressing the increase of students in our schools and classrooms, and transportation and those kinds of areas, and she hopes that is also being considered and looked at because she doesn't think that we want to add modular classrooms to be able to handle the influx. Transportation and the roads are a major concern, but she wants them to look at how hard it is currently to get teachers, the classroom size, and to address that influx.

Vice Chair Yates asked for other public comments, and there were none. He asked the applicant to come back to the table for questions from the Planning Commission. He inquired if the applicants were able to keep track of the questions from the public, so that they are able to provide answers. Mike Railey remarked regarding the question about fencing that they will provide fencing at the back of the lots within their subdivision. The road extension would be within the existing road easement. They don't plan to build that road south of where it is shown, but they would dedicate right of way to the county for a future road should the county needed to extend Old Stone Ranch Parkway. As far as the timing of the traffic improvements goes, as he stated previously, all of the improvements identified in the traffic study would be built with the initial phases of the corresponding developments, so they wouldn't be waiting on triggers. These would be in place from day one. He then spoke regarding the wildlife corridor and the fact that it would be accommodated within the natural open space areas. Any wildlife crossing the site now, could go through within the trail system itself and through those natural areas. He said that they have had conversations with NDOW, and they, essentially, have no concerns related to the plan as presented. They will be issuing a letter to Churchill County. Rebecca Bernier, Westex Consulting, responded that they have a meeting set up with NDOW next week to discuss any mitigation that they would like to see. They will incorporate that in the future. The open space is going to be maintained by the HOA. Everything except the park will be under the HOA. The developer will build the park, and the county will maintain just the park. Ms. Bernier then addressed the question about water by stating that they will not connect to the existing well. They will connect to the county's water system. There won't be any wells drilled for the houses themselves, and it would all be public infrastructure. There will likely need to be some upgrades to the water, and that would be at the expense of the developer. Regarding the sewer system, she remarked that the existing lift station will serve the northern portion, but the southern portion will need another lift station to get it to the existing Pine Grove lift station. Those improvements will be done by the developer when that southern portion is developed. Mike Railey answered regarding the concern about access for the kids getting to the park. Those trails will be extended, whether it be a trail or a sidewalk, that will have public access, so they won't have to cut through anyone's yards. They can get there from the existing public streets at multiple locations. Rebecca Bernier then mentioned the comments regarding the streets. Old Stone Parkway will be fully paved with a multi-use path on one side and a sidewalk on the other. That will be a county road; however, all of the roads on the southern side will be private; they will be fully paved with sidewalks on both sides and curbs and gutters. Those will be maintained by the HOA. This project would connect to existing streets on the northern side—Eagle Rock at the top will be a public road maintained by the county, but improved by the

developer; Big Horn will connect for the townhomes as a secondary access; so, they will connect all of the existing roads, so that they have access on to Old Stone Parkway. There are no driveways that go to Old Stone Parkway; they are all on alleyways or on side streets. Vice Chair Yates asked about the drains in the southern portion of the development. Ms. Bernier stated that the existing drain will be maintained. The easement line work from Truckee Carson Irrigation District (TCID) has been incorporated into the design. If there is some discrepancy, they will work with the neighbor and make sure that they are not affecting him adversely. Vice Chair Yates then turned the discussion over to the Planning Commission.

Member Bunyard inquired regarding the road improvements at Casey Road and at Birch Lane and Allen Road whether it was to be completed after Phase 2. Mike Railey answered that the improvements at the Casey Road and Old Stone Parkway intersection will be completed with the first phase of the northern unit. He gave an example if the first phase of townhomes were to be done first, then the improvements to the road would be done concurrently. If the apartments came in ahead of the townhomes, then the improvements would be done concurrently with the apartments. On the Birch Lane and Allen Road intersection, those would be done concurrently with the development of the southern unit, so when those units are being done in that area, the improvements would be done concurrently with what is developed first in that part. Member Bunyard then questioned when the road that leads to Birch Lane (from the north unit) would be connected to Birch Lane. Rebecca Bernier responded that it would happen with the second phase of the apartments. Member Bunyard summarized that, essentially, after the second phase they will be connecting into Birch, which will then go to Allen Road, but the improvements on Allen Road wouldn't happen until they get to Phase 3 or the southern unit. Mike Railey replied that isn't necessarily accurate because they could have the single family homes in the south being constructed concurrently with the townhomes in the northern unit, and those improvements would have to be made at the same time. He noted that everything is laid out in the handbook for the improvements to be made at the time that the development is being done. Member Bunyard then asked if the PUD is in place, and then it is sold to a different developer, would the new developer be able to make any changes to what has been approved. Mike Railey answered that any changes to this PUD would require that they go through this same process for an amendment. He noted as Director Spross mentioned earlier that with a tentative map there may be some tweaks here and there; however, the overall map must be in substantial compliance with what would be approved for the PUD. There couldn't be a radical change. Member Bunyard verified that they couldn't change the phases and timing of improvements. Mike Railey confirmed that the phasing plan is locked into the PUD. Joe Sanford, Deputy District Attorney—Civil, also stated that to be correct.

Member Diehl stated that she realizes that this development would be connecting to the county water and sewer system. She asked staff regarding this development of 600+ residential units whether the water and sewer system would support this many homes. Director Spross answered that currently our water treatment plant is only at 35% of its capacity. There are several projects that are on the books, and they are looking at doing a preliminary engineering report for a second plant, but right now the plant has enough capacity for all of these units. Now, if other developments are going on at the same time, this may have to be phased out until that second plant is built. As it sits right now, they have the capacity to handle this. Member Diehl then inquired about the traffic study and how the development is going to make their entrances. Mike Railey noted that the traffic study has been updated to reflect the analysis that was discussed at the workshop. The recommendations for those improvements will be implemented with those initial phases of the development. Normally, there would be a trigger that then requires the improvements

to be made. He gave an example that after the 200th unit they would need to provide a deceleration lane or turn lane, then it would have to be done before more units are constructed. In this case, the developer has committed to complete the recommended improvements at the beginning of each phase that will utilize these intersections. Member Diehl remarked that she has been here a long time, and this is an agricultural community. She really wonders about the water. She realizes that things are growing, but she would like to keep things more in agriculture. She is more concerned about the water, and she does not think that this is the place for apartments. She can see townhouses and single family dwellings, but as far as the apartments, she can't see that. This is a farming community, and we are downstream from Reno, Fernley, etc. The farmers need to farm. Mike Railey pointed out that the apartments are classified as a multi-family use under the development code. They are approving the land use, so to speak, tonight; however, the apartments will require review by this board of a special use permit. At that time, if there are specific concerns about how buildings are arranged, amenities or buffering, and any additional concerns about traffic, those could be addressed through that special use permit process.

Member Nelson stated that overall he thinks that the applicants did a really good job at the design. It has come a long way from the original. He does have a couple of concerns. One is that it appears that they will be improving about 240' of Casey Road. Mike Railey agreed. Member Nelson then said that it appears to be about 455' on Allen Road at the Birch Lane intersection. He noted that very little is being done to Birch Lane. Mike Railey concurred and stated that it is primarily the intersections is where the improvements will be occurring. Member Nelson has some concerns with this because he knows what kind of traffic this is going to create. He remarked that this isn't really the developers' problem; this is more the county's problem, but he doesn't believe that the intersection at Allen Road is going to be really conducive to this kind of traffic. The other issue he has is the apartments. He agrees with Mr. Getto that we need housing, and he thinks that the townhomes are a reasonable idea. Mike Railey commented regarding the Allen Road and Birch Lane intersection that if you look at the traffic study it is at about 2/3 of the traffic is expected to use the Casey Road intersection, in terms of traffic volumes. He stated that the majority of the traffic is expected to use the north exit. He wasn't saying that there wouldn't be impacts. Member Nelson interjected that there will be. Mike Railey believes that with the improvements they will be able to mitigate based upon the traffic impact analysis. Member Nelson reiterated his problem with Birch Lane because they are not changing anything on Birch Lane, and then the intersections on either end of Allen Road [Highway 50 and Sheckler Road] because he thinks that they are going to have a problem. He noted that they've been talking about providing housing for the Navy base, and those working at the base will be using the Birch Lane and Allen Road intersection, not Casey Road.

Vice Chair Yates brought up that one of the public comments was regarding Allen Road, and they said that they were going to make improvements on Allen Road, so he asked Mr. Railey to touch on those again. Mike Railey demonstrated on one of the slides an aerial view of the intersection and described that there will be 215' deceleration lane on Allen Road, realignment of Birch Lane as it comes into the intersection, an eastbound left turn pocket, an eastbound right turn pocket, southbound right deceleration lane as well as a transition taper on Allen Road, new striping, and then a 240' deceleration lane with left turn northbound turn pocket from Allen Road onto Birch Lane. Vice Chair Yates wondered if there would be any other improvements on Allen Road, which may be a question for staff, because Allen Road already, as the public has made clear, is problematic at best. We are going to be adding traffic going in both directions, a lot of it, so does the county have plans to improve that in any way related to this project because it will increase the

problems that already exist. Director Spross remarked that the only improvements that are proposed for Allen Road are what is part of the PUD. Mike Railey added that, if the county is agreeable, the applicant has volunteered to the restriping of Allen Road from Sheckler Road to Williams Avenue, which is not shown on this map. Jim Barbee, County Manager, pointed out something that is related to this that isn't currently addressed, the county has worked for a long time to get solutions down Sheckler Road, which would be the next part of this going into the Highway 95 intersection. At the Board meeting on December 21, 2022, they have a request for the commissioners to approve up to a \$500,000 fee to work with NDOT to start to get, possibly, two lanes in front of the 3C center turn and then some kind of intersection fix, whether that is a round about or a four-way light stop, or whatever that would be, that would also be impacted as well by traffic from this development.

Vice Chair Yates touched on a few other public comments by asking if NV Energy ready, willing, and able to supply this amount of increased power usage. Director Spross stated that NV Energy is not under our jurisdiction, and that is something that the applicant will have to work out specifically with NV Energy. Mike Railey responded that they are confident that NV Energy would be able to, and if there are any improvements needed to their system, then that would obviously be at the applicants' expense.

Director Spross wanted to address a comment regarding the emergency and school services. The Sheriff's Office and the Fire Marshal have been involved in meetings with the applicant, and there are certain issues that have been raised. The project was modified to deal with those issues. One of those was roof heights because there are ladder limitations on the fire trucks. Roof heights were capped at a certain limitation, which are spelled out in the PUD handbook. Discussions were also had with the school district, and they indicated that they needed to have school bus turnouts in the north unit, so staff is recommending that those are put in as bus stops. The school district did not have any input on class size or numbers of teachers, or other things like that, which the department would have expected, but it was not addressed in the letter to staff.

Member Nelson, regarding the statement that the road improvements would be done concurrently, stated that it seemed very broad. Mike Railey answered that with the first phase those improvements would have to be in place and operational prior to the first certificate of occupancy with each corresponding phase, so before anyone could move into the homes, those improvements would have to be done. Member Nelson verified that it would be the same thing on the south side, and Mr. Railey confirmed that it is tied to the phasing, so the first phase of the single family on the south side, those improvements would have to be made. Member Nelson made an observation that once they start going on this project, there will be a reasonable amount of construction traffic. In his opinion, those improvements should be done prior to in order to accommodate truck traffic, employee traffic, deliveries, etc.

Vice Chair Yates asked for any further comments, and there being no more, he said that he appreciates the concerted effort to at least address a lot of the concerns that the Planning Commission and the public has had. He also expressed some concerns about the apartment complex in the middle of what is essentially a single family neighborhood. He just doesn't see that it fits in this area; however, with the townhomes, he believes those are okay. He has issues with the placement of 400 apartments in an area that is primarily one story homes.

Director Spross shared that there are several pages of review criteria that needs to be met in order to recommend this for approval. It is all in the staff report, and a lot of it has been discussed by the applicant. He offered to read or go through it if the commission desired. He noted that he has some documentation aside from the letter we received from Mr. White. As part of this process it is

a requirement that the department sends notifications to several different agencies. There was a response from the Nevada Division of Environmental Protection (NDEP) stating that they have reviewed the subdivision map and recommend approval of the subdivision with respect to water pollution and sewage disposal. They have seen the infrastructure plans that the applicants' have put together on the tentative map with the understanding that the construction details are not provided at this stage. When water, sewer, power and things like that are all engineered, then they will be reviewed by the county and the county's professional staff, as well as once it is approved, it would have to go to NDEP for approval. There are still other steps that must be made before any of the infrastructure is approved or constructed. There was also a comment from TCID where they expressed appreciation for the county seeking solutions for the strained housing market in this community. They requested that due consideration be given to the preservation of valuable crop producing lands and thoughtful land use policies that conserve and protect our most valuable resource—water. They asked that planners and developers take steps to prevent any disruption or obstruction of TCID operations and federal easements. NDOW was another agency that was contacted, and as they stated they have a meeting scheduled to speak with them. NDOW did respond to our notification saying that they don't see any major impacts to wildlife resources; however, there is expected habitat loss from vegetation removal that could be used by many species for nesting, burrowing, migratory movements, or seasonally used habitats. Due to the extent of the project, they wanted to ask the developer if they are considering development of a wildlife habitat mitigation plan to outline potential impacts. There were also comments from BOR (Bureau of Reclamation) stating their willingness to work with the developer to reduce easements and pipe facilities. Reclamation will need 6-9 months to fully review and provide their approval once an application has been received.

Director Spross read through the recommended conditions that staff has prepared should the commissioners recommend approval of the PUD and tentative subdivision map as follows:

Recommended Conditions:

- 1) The PUD materials and Tentative Subdivision Map shall be updated within 60 days to reflect requirements of these conditions of approval to the satisfaction of County Department Heads. Disputes shall be resolved by recommendation of the Planning Commission and approval by the BOCC. Failure to update materials in a timely manner will require reconsideration by recommendation of the Planning Commission and approval by the BOCC.
- 2) All Final Subdivision Maps shall be in substantial conformance with the approved PUD and Tentative Subdivision Map, and subject to the following:
 - a) A submittal not in substantial conformance must be approved as a modified tentative map by recommendation of the Planning Commission and approval by the BOCC.
 - b) A Final Merger and Resubdivision Map for the North Unit shall be submitted that excludes the South Unit.
 - c) A Final Subdivision Map for the South Unit shall be submitted that excludes the North Unit.
 - d) Final maps for subsequent phases shall not be submitted until infrastructure for the previous phase is constructed.
- 3) Construction of the North Unit shall progress consecutively according to the Phasing Plan. Construction of the South Unit shall progress consecutively according to the Phasing Plan. Construction of the County Park, and the on-site and off-site road improvements shall be implemented according to the Phasing Plan. Phases may not be implemented out of turn, but may be implemented concurrently with adjacent phases.

- 4) A diagram illustrating the plan for abandonment of existing road easements, utility easements, and parcel lines shall be added to the tentative map. Tentative map drawings shall be updated, as deemed necessary by the County Surveyor, to clearly illustrate/document proposed abandonments. All roads and easements that are to be abandoned shall be abandoned through the appropriate process before Final Maps are recorded.
- 5) The plan for the handling of each road shall be clearly indicated on the tentative map, as described in the Staff Report or determined at the hearing, to clearly state what is to be built and what is to be offered to the County. The proposed easement/right-of-way width, construction standard, and end of proposed road length (where applicable) for each road shall be clearly labeled. All roads shall be shown to be offered for dedication, and drawn based on whether the County plans to accept the offer. Driveways through the townhomes shall not be offered for dedication.
- 6) Additional road improvements shall be provided as indicated below. The tentative map and/or handbook shall identify and label such measures.
 - a) Privately maintained streets shall be signed to indicate they are privately maintained.
 - b) The Birch Lane/Old Stone Parkway intersection shall receive turning lane improvements, as determined by the Road Supervisor, and installed with the associated Birch Lane improvements noted below.
 - c) Birch lane shall be reconstructed. This shall be accomplished with water line installation, where applicable. The remaining length (mainly eastward from the project) shall be completed with the Birch Lane/Allen road intersection improvements, and included in the Phasing Plan.
 - d) The developer shall work with County Staff to determine measures to use on Birch Lane at the Cedar Drive and Pine Road intersections that prevent northbound turning onto Cedar Drive and Pine Road. The improvements shall be included into the Phasing Plan to be implemented with the first Final Map of the South Unit, or the Connection of Old Stone Parkway to Birch Lane.
 - e) Street lighting shall be provided for Old Stone Parkway to County standards. Street lighting on other streets shall be determined by the developer. Lighting shall installed with the associated road improvements.
 - f) Pedestrian safety improvements shall be installed to County standards, and as directed by the Road Supervisor.
 - g) Improvements required by the NV Dept. of Transportation shall be installed.
- 7) If the proposed density bonus is approved in exchange for the community park:
 - a) The park shall be constructed with the facilities listed in the Staff Report.
 - b) The park shall be shown as an easement and offered for dedication on first Final Map of the South Unit, though the County does not plan to accept the park at the time.
 - c) Once any usable park facilities are constructed the applicant shall enter into an agreement with the County to authorize use of the park, in a manner acceptable to both parties.
 - d) Once the park is fully constructed, the County will accept dedication of the park on the next Final Map, or by separate action at a later date.
 - e) Acceptance of the park by the County will be contingent on a 1-year guarantee after construction, except where such time period has already passed.
- 8) CC&Rs shall include the following items:

- a) The County Park shall be included within the boundaries of the Homeowners Association (HOA); but the County shall not be assessed fees, and the HOA shall not be responsible for park maintenance once the County takes over maintenance of the park.
 - b) All non-park landscaping shall be maintained by the HOA.
 - c) All street lighting and common area lighting shall have power and fixture maintenance costs paid by the HOA.
 - d) Stormwater basins and drainage pathways shall be maintained by the HOA.
 - e) In the North Unit, all private driveways in the townhomes and apartments area shall be maintained by the HOA.
 - f) In the South Unit, all roads except Old Stone Ranch shall be maintained by the HOA.
- 9) The PUD Handbook shall describe the use of HOAs, including any layering of multiple HOAs to address management differences within the PUD.
 - 10) The conceptual layout of the townhomes and apartments that is shown in the PUD materials and tentative map are approved. Detailed design of the townhomes must be approved by Special Use Permit concurrently with a Final Map of the area. Once approved, individual townhome blocks must be constructed by the Master Developer. Detailed design of the apartments must be approved by Special Use Permit before construction. Both multi-family developments must demonstrate conformance with CCC 16.16.020.8(I) Multi-Family Development.
 - 11) The improvement plans for off-site and on-site sewer and water infrastructure shall be designed to County standards. In addition:
 - a) Existing water and sewer lines lying outside the project that need to be upgraded to serve the project shall be completed at the developer's expense, as determined necessary by the Public Works Director.
 - b) Any sewer lift station upgrades needed to serve the project shall be completed at the developer's expense, as determined necessary by the Public Works Director.
 - c) Any additional water main segments needed to meet looping requirements shall be installed at the developer's expense, as determined necessary by the Public Works Director.
 - d) Moving the existing water line to lie within the new configuration of Eagle Road will be at the developer's expense.
 - 12) Changes to the handbook shall be made for compliance with Churchill County Code, including but not limited to:
 - a) Impact Fee requirements shall be met according to timing in the County Code.
 - b) Water dedication requirements shall be met before Final Map submittal.
 - c) The proposed concept for 2 project signs is approved at locations. Sign face area shall conform to the County sign code maximum area of 40 square feet for each sign.
 - 13) Any final changes required by the County Surveyor shall be made prior to recording.
 - 14) At the time of submittal for Improvement Plans, an updated Drainage Plan shall be provided that clearly assesses each drainage basin in relation to its catchment area.
 - 15) Descriptions of the typical landscape approach for different areas of the project shall be included in the Handbook, and must be acceptable to the Public Works Director. All PUD open spaces must be developed in conformance with the handbook with the phase they are associated with.
 - 16) The tentative map shall clearly show the plan for dealing with irrigation facilities. Information shall be included on Final Maps documenting the status of the drain along the south edge of the project and through the middle of the project. All necessary permits for altering facilities shall be obtained.

- 17) The handbook shall indicate that deviations from the established standards be reviewed according to the variance provisions in County Code.
- 18) School bus turnouts shall be provided in the North Unit as recommended by the school district, and included on the tentative map.
- 19) In addition to proposed friction zone measures, the following additional measures shall be implemented:
 - a) A solid rear property line fence shall be installed to better separate the single family lots along the farming operations in the South Unit. The fence shall be installed at the time of Final Map infrastructure for the associated lots.
 - b) A rear setback of 70 feet shall be indicated on the tentative map for the South Unit between the farming operation property line and south rows of residences.

Director Spross further pointed out to the commission that these are two applications, although they have discussed these in conjunction with one another. There will be set of motions for the findings for the PUD as well as the motion for the decision, and then there will be a subsequent set of motions for the findings for the tentative PUD subdivision map as well as the motion for the decision on that as well. Based on the information received and compliance with the county code, staff does recommend approval based on the conditions that he read.

Vice Chair Yates called for a motion for the PUD portion of the application. Member Bunyard attempted a motion for meeting the findings, but it did not get a second.

Member Nelson, 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 16.08.125.E regarding an application for a Planned Unit Development Permit for Old Stone Ranch PUD. Specifically, the apartments are not in conformance with surrounding land uses and the traffic improvements do not address the impacts the extra traffic will cause. Member Diehl seconded the motion and the decision passed by a three (Members Nelson, Diehl and Yates) to one (Member Bunyard) vote.

Member Nelson, based on the previously adopted findings made for this project, moved to recommend that the Board of County Commissioners:

- (A) DENY the Planned Unit Development Permit for the Old Stone Ranch PUD on APNs: 008-792-11, 008-792-95, 008-831-77, 008-831-85, 008-831-86.**
- (B) DENY the request for density bonus in exchange for the proposed County Park.**
- (C) DENY the request to include irrigation facilities and stormwater basins that are specially landscaped in the Open Space calculation.**

Member Diehl seconded the motion and the decision passed by a three to one vote (same as previous motion).

Vice Chair Yates moved to the motions for the findings and recommended decision for the PUD tentative subdivision map.

- F. Consideration and possible action re: A planned unit development tentative subdivision map filed by Nev Dev, LLC. The property is located near Casey Road and Birch Lane on Assessor's

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 in the R-1/E-1 zoning districts. The subdivision will implement the planned unit development.

Discussion for this item was combined with the previous item (Planned Unit Development application).

Member Nelson, 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 16.04.040(C) and CCC 16.04.050(A) regarding an application for a Tentative Subdivision Map for the Old Stone Ranch PUD. Specifically, it fails to conform to surrounding land uses and the road infrastructure is not viable for this project. Member Diehl seconded the motion and the decision passed by a three to one vote (same as the previous motions).

Member Nelson, based on the previously adopted findings made for this project, moved move to recommend that the Board of County Commissioners deny the Tentative Subdivision Map for the Old Stone Ranch PUD on APNs: 008-792-11, 008-792-95, 008-831-77, 008-831-85, 008-831-86. Member Diehl seconded the motion and the decision passed by a three to one vote (same as the previous motions).

Vice Chair Yates thanked the applicant and advised that their recommendations regarding these items would be forwarded to the Board of County Commissioners.

- G. Consideration and possible action re: A special use permit for a multi-family development in conjunction with a tentative subdivision map filed by Vertex Fund 3, LLC for property located on Coleman Road, Assessor's Parcel Numbers 008-301-11 and 008-301-12, consisting of 26.24 and 5.20 acres respectively in the R-3 zoning district. The applicant proposes to construct apartments in a proposed subdivision.

It was decided to discuss Items G through I together and then the motions would be separated.

Director Spross explained that there were three separate applications for the same project—one for a special use permit for the multi-family development, one for a variance from the lot density and all setback requirements, and one for a tentative subdivision map for a merger and resubdivision. The staff report addresses all three applications together. The use listing is multi-family development, and these parcels are in the urbanizing area designated in the Master Plan. He reported that these parcels have been in the County's ownership for over five years. They were acquired for two reasons—first, they are the best point of a new river crossing for a new north-south traffic connect corridor that has been planned for nearly 20 years, being the extension southward of Moody Lane to connect to Allen Road or other streets into the city; second, the problem of getting builders to provide adequate multi-family development caused the County to find ways to initiate such development on behalf of the community.

Director Spross continued to share that there are three land use permits involved with this application. Two of them result from an unconventional approach the developer has toward the projects. The special use permit is because the county code limits the location of large, multi-family

developments either to the R-3 zoning district, as applicable to this project, or incorporated within a planned unit development. County code requires that all multi-family development be reviewed through a special use permit. For this project the developer is using an unconventional approach that will A) include a subdivision to place apartment buildings in the complex on their own lots, B) using a zero lot line development approach for those lots, and the large remaining area will be the common area managed by the Homeowners' Association (HOA), composed of all the building owners. The variance from the lot density and all setbacks is due to a lack of provision in the county code regarding zero lot line development except through a planned unit development; thus, doing a zero lot line development needs a variance from normal setbacks and lot density based upon the small lot size. Note that such standards are met when considering the larger property. The tentative subdivision map creates the building lots. The state subdivision law specifically establish the tentative subdivision map stage and the final subdivision map stage. After a tentative map is approved, it is followed by a final subdivision map. As a rule, the requirement is that the final map substantially complies with the approved tentative map. Director Spross noted that a tentative subdivision map is a plan, and it is not intended to be unchangeable or designed to construction detail. Some adjustments, shifting and minor changes are allowed in the final stages. The normal process for a land division review is for the county to perform a detailed review of the map, making red-line correction notes, and having the developer revise maps for the Planning Commission meeting; however, for this project, staff has performed the red-line review and the applicant has not been able to make the revisions due to unexpected, unavailability of their surveyor. Staff recommends that the tentative map be revised for conformance with the county code and requirements listed in the conditions of approval.

Director Spross further explained that the submittal includes the normal materials for the permits as well as additional materials:

- Preliminary improvement plans, which are normally provided between the tentative map and the final map stages; however, the applicant has been working on them and provided them for informational purposes only.
- A traffic study was completed, which is required for large projects.
- A drainage study was completed, and these are required for subdivisions and projects with extensive land coverage.
- A geotechnical report was completed, which is also required for projects building roads.

Clayton Trapp, Phelps Engineering; the owner; and Dan Eybs, Traffic Engineer with Phelps Engineering, were available. Mr. Trapp shared a PowerPoint presentation (a copy is attached to the minutes). He started with the location of the project, pointing out that it is near the boundary with the City of Fallon. He stated that this is a response to an RFP (Request for Proposals) from Churchill County that was put out in 2021. They sent in their proposal, and in December 2021, they were chosen for the project they proposed, specifically to help fulfill for "development of multi-family units to satisfy the strong need for this type of housing." The previous applicant had mentioned the housing study that was done previously, and was updated last year. There is a significant need for housing, as most folks know, and especially from NAS Fallon, who has folks serving in the military on a short-term basis. He knows, since he has served in the military, how hard it is to find housing, especially if you have a family. A significant number of people that serve in the military can't find places to live, and they end up going to Lyon County, City of Fernley, and other places.

He brought up the description given as an unconventional way of development that they are requesting. Mr. Trapp pointed out that in a way it could be considered unconventional; however, it

is certainly not unheard of. The location is a 31.4 acre parcel that was rezoned by the County to R-3 zoning in July 2022 specifically to meet this purpose. He noted that there would be bus stops provided on the site. There are nine site amenities, and this is one for every 50 units. They are heavy on amenities, which is on purpose. Clayton Trapp said that they want this to be a nice place to live, and they want to fit into the community as best as they can. They will also have enhanced landscaping. There is a need for a north-south connection on Moody Lane, which has been in the works for it sounds like a couple of decades. They are also proposing a dedicated parcel on this that will be part of the county's Parks and Recreation Department for a takeout on the Carson River. This is something in working with Churchill County staff to help them get to this point. Staff recommends approximately two-thirds (2/3) of an acre for dedication with all-weather restroom building, paved parking with approximately 20 spaces, security lighting and ADA (American with Disabilities Act) parking, and an ADA trail to the river. That will give significant use to not only the community, but also to those folks that enjoy floating in the river. He mentioned that there is already an area for input into the river for the Parks and Recreation.

Clayton Trapp went over the applications and the need for each. The special use permit is for the multi-family aspect, especially since these are apartments, even though it is zoned for multi-family use. They have individual lots per building, and they do that specifically because folks, who invest money, and in this case a lot of money (more than \$75 million), require this type of configuration for financing. Mr. Trapp emphasized that this will be an HOA, it will be HOA controlled. He won't say that these are luxury apartments; however, they are upscale, and they are much nicer than what has been seen in a long time just because there hasn't been a lot of construction of apartments in the town in a very long time. The county will get to be a part of that HOA through the dedication of the land for Parks and Recreation.

Mr. Trapp stated that the variance is due to dwelling units and setbacks. A typical lot layout with the building footprint is about 220' by 74', which meets the standard for R-3 zoning for minimum lot size of 8,000 square feet. This puts them between 15,000-16,000. Typical setbacks with R-3 is 20' in front, 20' on the sides and 20' in the back. They don't meet that because they are about 5' all of the way around the parcel with the building footprint. This is the reason for the variance because it is impossible to have each individual ownership of the lots and have the types of setbacks that they need and still comply with the current setbacks. The other thing is density. In R-3 zoning they are allowed 16,000 square feet, and they are not asking for any bonus density or anything like that. They are trying to stay within the confines of what the zone allows for. If you take the parcel of 31.4 acres and take out the right of way for Moody Lane, which is 2.7 acres, then you have 28.7 acres that go toward the density. When you remove the stringent lot lines, you actually come out with 15.47 density of allowable 16. If you go specifically by what this lot size is here it is roughly 16,000 square feet, then you would come up with 98 dwelling units per acre. That is not what they are requesting, and it is well outside of where they want to be.

Clayton Trapp then went over the traffic summary because he knows that it is a big question as he has heard before. He turned time over to Dan Eybs to talk about the traffic side of things. He shared the recommendations that came from the traffic study. The Moody Lane extension is in line with the planned extension of Moody Lane, but will only be a portion of that extension. This will be required to actually access the site and would be required with the first phase. There will be auxiliary lanes at the new Moody Lane and Coleman Road intersection. There will be a deceleration right turn lane for westbound traffic on Coleman Road, the other is a left turn lane for eastbound traffic on Coleman Road, and then finally an acceleration lane for westbound traffic on Coleman Road. That is recommended by the traffic study analysis. Mr. Eybs highlighted that although the

trips generated by this development does add 87% to the existing traffic volumes on Coleman Road, Coleman Road is currently only at, with the additional traffic, about 35% of volume to capacity ratio. Even though it does sound like a lot of traffic being added to Coleman Road; it is well within the capacity of that roadway. He then spoke regarding the intersection of Coleman Road and US Highway 50. Traffic counts were taken earlier this year, and based upon those counts the intersection currently operates at a level of service “C”, which is well within the standards for National Highway system roadways. With background traffic growing over the next four years, that is expected to move to level of service “D”, which is still within the minimum standards for NDOT (Nevada Department of Transportation). He clarified that this was during the AM and PM peak hours when they did their capacity analysis. The intersection is operating within the minimum standards into 2026. The mitigation that they looked at to help maintain traffic operations at this intersection included adding a permissive left turn movement, which means that traffic could turn left on a green ball on Coleman and Casey Road approaches. That improvement was shown to maintain a level of service “C”, which is better than “D” and has less delay if NDOT would allow permissive left turns. The analysis shows that the additional project traffic does not change the level of service at the intersection, so regardless of whether it is a permissive left turn or not, the project does not change that level of service from “C” to “D”, or from “D” to “E”. There is no recommendation in the traffic study that says that this change has to happen; it is just a point of suggestion. The team here is committed to keep coordinating with NDOT and the County on any improvements to the intersection of Coleman Road and Highway 50 and the intersection of Moody Lane and Coleman Road.

Clayton Trapp went on to talk about the Moody Lane/Coleman Road connector road. He explained that it would be an 80-foot right of way up to where an abutment will be for a future bridge across the Carson River. There will be no curb or gutter; however, it will have a middle lane, swales on the sides of the road, and a multi-use trail that fits within the 80-foot right of way. They think this will fit in well with the character of the neighborhood that is already there, knowing that a road will have to come through here, but it also lends itself to the use of connecting not only the road, but bicyclists, runners, walkers, and people using the takeout on the Carson River. That allows it to be multi-modal. He thanked the people of the County and said that everyone has been really pleasant to work with. It has taken a lot to get to this point. He summarized that this provides needed housing (especially the Navy, who has been a part of this community since the 1940s), it fulfills the County’s goals, gives a north-south Moody Lane connector (which will ultimately connect through to the Sky Ranch planned unit development (PUD), and supplies an access to the Carson River for the Parks and Recreation Department. Part of the county ownership of the acreage for the takeout is that the County will have a seat on the HOA, so they won’t be able to vote themselves out of existence. That, again, gives higher standards when it comes to maintaining the common grounds, maintaining the buildings themselves, and so forth. All of the buildings are owned by the developer, and at some time in the future can be owned privately by different individuals/corporations, but it will be maintained by the HOA. The improvements on the roads will maintain safe operations on Coleman Road.

Vice Chair Yates asked for any public comment.

Gary Smith, 2160 Verona Drive in Onda Verde, shared that Coleman Road, not being the widest road around, and the increased traffic that is going to come out of this development is going to affect the entire Coleman Corridor, which is how he chooses to refer to this area. First is the number of residents that will be living in this development—how many people, how many bicycles, and how many kids? He saw that they propose to put a bike path in the TCID easement on the other

side of the canal, and we know about how that will go. He asked a rhetorical question, how many of you are comfortable with themselves, their children, or their grandchildren riding a bicycle on Coleman Road right now? With the increased traffic, are they going to be any more comfortable? He pointed to safety as a primary issue. What are you going to do if some kid gets hit by a car? Another thing that he thinks that the county should do is to have their own independent traffic study. They need to fund it, and have it done, because, no offense intended, he gives the developer/contractor funded study about the same amount of weight as he does a defense counsel funded expert witness in a civil trial. He thinks that they should consider that. Another thing that he wanted to have considered is that there is a resident deer herd in that area that move up and down that river. If we are going to bridge that river, we need to have consideration that we don't create a situation for deer strikes. He doesn't think that we want to increase the pressure on them unnecessarily. Onda Verde, itself, did enough of that. He then stated that those that live to the east and west of this proposed development, we want to continue to enjoy our semi-rural lifestyle there. Some sort of permanent, maintainable barrier/fencing needs to be installed to prevent kids and people, who don't necessarily mean any harm, from casually migrating in and out through the neighboring properties. He knows that his neighbor has horses, and he is not going to want strange people in there walking around his horses. He thinks that is another consideration. He pointed out the planned access to the river is near the Coleman Dam, which is a potential hazard to kids. If you don't have a way to keep them away from it, they can get sucked into that dam when the water is flowing. Mr. Smith thanked the commissioners and asked them to make the right decision.

Tom Riggins, 975 Airport Road, has been an appraiser and a consultant for over 30 years. He has been involved in everything from a single family house up to and through casinos, that includes large commercial and residential developments. He has also been involved and partners in three different states. He has looked at a lot of development documents over those years. He said that he mainly has two concerns, and it isn't necessarily with the developer, but with the county's responsibilities beyond the developers' purview—that is safety and direct cost that the county is going to incur to take care of those safety issues. He looked at the traffic study. They are saying 2,993 vehicle trips on a typical day, 178 of those during peak morning hours and 226 during peak [PM] hours, which he basically understands that to be there are no peak traffic hours based on that study. He doesn't know the criteria they used to develop that as he hasn't seen the actual traffic study, but it does raise some questions. The other thing with the traffic count—he called the county Road Department, and the last traffic study that they have was 2,042 trips per day on the Highway 50 end and 1,720 trips per day on the Lovelock Highway (Highway 95) end, so if you add 2,993 to that it would be 166% increase in traffic. You can say that the capacity on Coleman Road is 18,000, but they obviously haven't driven down Coleman Road. It is an unstriped road with no shoulder to pull off in the event a vehicle breaks down. That may be what the book says, but in practicality it would say otherwise. Another thing that he is considering is that Coleman Road is narrow, and they are going to have an 80' wide connector coming into that, which at some point is going to generate a lot more traffic if they ever get the extension run through. So, there will be an 80' wide connector coming into about a 45' wide road with a 20'-24' paved roadway. This is his safety concern. That same packet said that given the width limitations on Coleman Road, a sidewalk and Class 2 bicycle lane may not be feasible. The developer can put that in their portion, but it is going to be on the county to do the rest of that. You know that [developments] are going to generate bicycle and pedestrian traffic. The master plan says to design and locate walking trails, sidewalks and bike lanes to connectivity, and that is going to be on the county. The impact fees will generate about \$1 million out of this project, and he doesn't believe that is even close to enough to mitigate the direct

impacts that this property is going to require.

Eric Dillon, 1427 Coleman Road, said that he heard said that there will need to be a bridge over the Carson River, over the canal, and over the railroad tracks for the extension of Moody Lane. He's not sure if they are aware of this. He pointed out that Coleman Road is very narrow, and with all of this traffic he would think that it would need to have lines painted on the road. As he understands the county does not paint lines on county roads. He also mentioned regarding the traffic study that over time that road has turned into a bypass for semis and people going to Sand Mountain. He has lived there for 20 years, and he has seen this happen. There are more and more semis that don't want to go through downtown. Another thing that he is concerned about is that he lives on the north side of that map, and he pointed to their comment about a takeout from the Carson River. He suggested that they need to go there and look at the river because it is extremely close to the dam. TCID has put signs up on his driveway that indicates federal property only and no trespassing. He had to call TCID about people going through his property. He noted that they advertise that people can hike in the area; however, he thinks that would probably encourage people to go onto or through his parcel. They mentioned kayaking, boating (not sure how a boat would get in there), rafting and swimming. Not only is that dam right there, but there is also a fork in the river. There is a big head gate there that could suck in a hippo. If someone misses that takeout, they are dead meat if they go down in that area, particularly in the summer when the water is running. On the south side there is another huge canal over there with another gigantic head gate. He hasn't heard specifically about these gates, but there are others throughout the county where people have died in the canals trying to save their dog or some other reason. He further brought up that on the back of the property, the north side, in order to keep people from walking right through the canal (at this time of year people can do that because there is hardly any water) people can go right up onto his property. He is right on the other side of the canal in between the fork where the river and canal are. There is no access to get to that property unless they go through his. He has had numerous game wardens out there for people that poach deer, shoot doves and ducks, and they sometimes hit his house with stuff. We want to know if that water from Birch Lane is going to be the same that is used in this new development (the same well).

Carl Erquiaga, 1625 Golden Parkway, appreciate the work that the commissioners do here, and their willingness to stand up for what they think is right tonight. He isn't expecting them to vote this down. He thinks that the horse left the gate in April when the county committed to work with Vertex on it. He is asking them to pump the brakes. This traffic thing, he wrote a letter to the Board of County Commissioners that day back in April, and it was stated that a traffic study would be done later. As a former County Commissioner, he knew about Moody Lane coming through. He envisioned a nice engineered, well thought out, constructed road. He has lived here his entire life. Coleman Road is nothing more than a canal bank. When he was a kid, it was little more than a cow track. They used to drive down it, and he thinks he can remember when it wasn't even paved. It was never constructed as a road, and certainly wasn't constructed for 6,000 cars per day. He believes that the plan says Moody extension that the pavement was going to be 30'-32' wide, and someone said that Coleman was 24'-25' wide. He stepped it off today and it is right at 24'-25' wide. There are no lines, no fog line, no shoulder, and there is an unconsolidated area that is not compacted, not engineered, next to the pavement. It is a very unsafe road. The traffic on there of 226 vehicles per hour at peak means that there is about one car every 20 seconds turning on to Moody Lane from Coleman Road or from Moody Lane to Coleman Road. He thinks that is an impact. He is also concerned about the traffic light at Highway 50. There is a left hand turn pocket there now that may have room for 3 cars if they are small, but certainly not for trucks, and then you have a railroad

track with the yard arms and all of the rest of that. He envisions nothing but problems, and that is already a very dangerous intersection. There has been at least one death there already. They spoke about a permissive left turn there, but there is already a permissive right hand turn there, and it is the scariest right hand turn in the valley. He has almost been hit by so many vehicles and trucks that are running that light, and now you will have another 226 vehicles an hour during peak traffic. Some of them going that way. He thinks that the commissioners need to pump the brakes, and he agrees with the gentleman said earlier about the county needing to do a real traffic study based on not trying to achieve a goal, but trying to do what is right.

James Sterling, 2020 Verona Drive, said that he is going to echo everything that the commission has just heard, but he is doing it from the standpoint of his experience. He was a Senior Code Enforcement Officer for a rural city outside of the state of Nevada. One thing that he learned is that everybody needs a place to live, but you do not need to put rental units into an area where there are homes and people who have pride of ownership for their properties because they have mortgages—they have to stay employed, they have to pay their bills off. One of the problems, which he heard tonight, is that an HOA is going to assure pride of ownership for apartments. That didn't make any sense at all. He can say that he got personally involved with the tear down of a 292 unit motel that was turned into affordable housing rental units in the city that he worked for because the crime rate went up 65% for a town of 35,000 people. Once that place was torn down, the crime rate dropped. It took them 2 years to get all of the approvals, go through all of the legal processes, make all of the Planning Commission's hearings, and so forth. It was the best thing that they could have done. Everybody agrees that we need housing. Then put housing in, not rental apartments. Find another lot for this property. Put it where it is not going to have the negativity of Coleman Road, which is the only side barrier of driving into the irrigation canal is weeds. There are no markings on the road; it is not wide enough because of the irrigation canal to widen; trucks go down there all of the time. He may be in line 4 times to get a two car traffic light change to go out onto the Reno Highway. He begged that the commission has an ultimate responsibility of looking out for the public safety and the welfare of the people that you serve. Don't make a poor decision, and putting in a 3-level apartment complex doesn't make any sense. It is time to make good decisions. One of the reasons that he and his wife bought a home here is that he wanted to make sure that they had a good community to live in with good people. They have accomplished that. Good people live here; you are good people, but we cannot make bad decisions, and this is full of them. He wishes that they could just go through the process and just say "ditto", just like the commission did on the previous applicant.

Russel Hucks, 936 Venturacci Lane, echoed some of the things that the previous gentleman said. Earlier he had heard about the traffic study. They said that was done earlier this year, but as everyone knows there has been a lot of new single family housing constructed in the city south of Coleman Road, which has tremendously added to traffic that hasn't even been accounted for, and much of it hasn't even been finished. That traffic hasn't been talked about or looked at. Secondly, he said that we keep talking about the Navy. He is a retired Navy guy and understands; he was here back in the early 1990s when none of the subdivisions that we have around now were built. He pointed out that they lived in the apartments that are available near Timothy Lane and Keddie Street. He understands the need, but we all see the traffic problems. He doesn't understand why the County wants to put apartments for the Navy on the west side of the city. Why not put them on the east side where the Navy base is located? There was talk already about places where apartments could be built, but no one has decided to build on those. For the same reasons that the commissioners disapproved the last one, he doesn't understand why the county wants to put these

big units in where all of the single housing is located. Venturacci Lane that will be facing this development is full of homes that are 2,700-3,200 square feet with 1,800 square-foot shops in it, and then you want to put the apartments here. If you guys lived there, you would not want all of the apartments right down the street. That just does not fit in our community. He knows that we need them; he knows that the Navy needs them; but he would rather they be put out towards the base and not in the middle of that brand new subdivision up on the corner, Venturacci Lane, and all of those brand new units that just went in that are still up for sale. He further stated that he could see the commissioners vote down the previous proposal and then vote for this one for the exact same reasons.

Chesney Barr, 1765 Coleman Road, said it is the property just to the west of this development. He has the same concerns as others have expressed, especially about the traffic. He has been living on the property for about 3 years, and his parents have owned it for about 13 years now. It seems that every year somebody goes into the ditch. The speed limit there is 35 miles per hour (mph), and he routinely sees people going 45-60 miles per hour on Coleman Road. They have had people drive through their fence, through their property, and into the next property. The traffic is a huge concern of theirs. There are plenty of places, we live in the desert, and we should be covering up good agricultural land with concrete and houses. We should be using it. There are other places to build complexes. If the county does end up putting this in, he has concerns because he is a neighboring property owner with the need for a fence. They have livestock and horses, and they don't need people coming into their area, and if livestock does get out, which they sometimes do, they don't need their animals going into the development area. He also suggested a fence on the north side to keep people out of the canal because the canals may seem like a fun place to swim, but they can be dangerous. It would be a tragedy to see kids from an apartment complex drowning in the river or canal. Mr. Barr also asked regarding the ground water level because they have a pretty shallow well, and he'd like to know if the developer has addressed that at all.

Glen Stralo, 566 Peaceful Way, said that his property borders the long skinny property with the hook at the end of it. It was demonstrated on the aerial photograph displayed on the screen. He has a concern about the road that will run through the property (Moody Lane extension), and also where are they going to access the utilities—will it come through the Moody Lane side, or is it going to come through from Coleman Road. They already have problems with Coleman Road being too narrow. He shared that his son was run off of the road by a horse trailer on his moped riding on Coleman. At the corner at Peaceful Way, you can barely see coming either direction. They cleaned up the trees this year, so it was a little better. The whole road would need to be widened, which he doesn't believe is even a viable option. He then questioned HOAs. Didn't everyone that lived in California at one time leave there because of them? We moved here to get some freedom away from that stuff. This is going to increase the tax base to the government, not to a private maintenance facility.

Terry Sterling was asked to read a letter into the record for Mike and Beth Reece, 2182 Verona Drive, who could not attend (a copy of this letter is attached to the minutes). They are strongly opposed to approval of a special use permit allowing the construction of a multi-family development on Coleman Road. They had heard that the developer is proposing to build 400 apartment units. After doing some online research, they found the following reference. According to the National Apartment Association, in 2021 the national average parking ratio for apartment properties with 50 or more units was 1.46 spaces per unit. In Henderson, Nevada, 1.5 spaces per unit are required. Therefore, if the developer is planning to construct 400 apartments, one can easily determine that full occupancy would add as many as 600 more vehicles onto Coleman Road every

day, and making matters worse they can't even imagine what that number becomes when the proposed extension of Moody Lane to Coleman Road is completed. Coleman Road is hazardous to drive particularly at night because there are no lights, no lane striping, people routinely exceed the posted speed limit, and very little shoulder space is available to avoid the V-Line canal and irrigation ditches that border the road. They also ride their bikes a lot during the summer and use Coleman Road to get to the less traveled roads in and around Fallon. Cars routinely disregard the law when approaching and passing bike riders or pedestrians, coming very close to running the bikes off of the road or worse. The only way to make Coleman Road safer for cars, trucks of all sizes, pedestrians, and bicycles is to widen Coleman Road and provide bike lanes that people can use to walk, push strollers or ride bikes to and from town. If this cannot be accomplished by the county or developer, and they cannot provide for the safety of those that drive, ride, or walk, then we unequivocally say to the Planning Commission, do not approve this special use permit. As a community we should strive to do more than the minimum standard to ensure the safety of its citizens. It is the obligation of the Planning Commission to approve projects that will benefit the entire community. It is all of us who are left to deal with the unintended consequences of short-sided planning.

Cyndi Dillon, 1427 Coleman Road, remarked that she owns the agricultural piece of property that is north of the property. They have about 30 acres with their home on the east side, and the other side borders other agricultural property that is being leased by Dan McDougal. She pointed out that on the east side of their property that is currently for sale by the Venturacci family. She thinks there is some discussion about single family home development there. She also noted that on the east side of the properties for the proposed development is agricultural in addition to the gentleman that spoke and is right across the canal from them. She shared that she met with the county, and she appreciates how helpful they were. They had a lot of their questions answered, and, in addition, a staff member did come to their home and took a look at some of the concerns they had, especially about the safety of the canal, as well as access to their property. She stated that they have been here a long time and are not opposed to individuals moving into this area. They are concerned about the safety of their animals—they have horses, dogs, goats, and chickens. They ride their horses on an active basis. When she looked at the proposal of 17 buildings and a majority of them being 3-story, and then looks at the impact of the traffic. She just wonders if this is a good fit for that area. She understands the housing shortage, and she agrees with Mr. Getto that everybody should have homes. She knows that a small percentage of people don't necessarily want to live in Fallon because it is pretty quiet, family oriented, and there's not a lot to do. She knows that there are a few changes to that area, including the Onda Verde subdivision (not completed yet), the Venturacci property that is going to be developed (they really want to sell the property and are actively seeking buyers), and the DR Horton homes across the canal (being developed and is not at full capacity). She looked at a property in Fernley, which is eight units to the building and thinks that there are 27 buildings with only 2-stories, and that would be a little more suited. She asked that the commissioners keep in mind that the road is not striped. She is asking the commission to allow the developers to go back to the drawing board and reduce the apartments back down to the 300, which she thinks was the minimum in the agreement that the county has with them, and then develop a plan that better fits into the agricultural environment, especially with the road, and allow the developer and the county to form more of the recreation—the water and trails that they are talking about.

Rosemarie Bracher, Country Club Drive, was there to represent her daughter and son-in-law, who have bought property, not once but twice, next to the road. They haven't built their house yet,

but he will retire from the military next year, and they plan on moving here. Besides the safety concerns with having small children and since she has been in the area since the 1980s, she knows that there have been deaths in the river and on Coleman Road. When her daughter and son-in-law come to visit, they go to the county, who is always very helpful, to talk about building a 3-story house, and as a property owner in the county, you are not allowed to do that. Her research regarding the R-3 zoning—countywide, statewide, and even nationwide—never referred to a county having this type of zoning. It was always referred to in regard to cities. She doesn't understand the 3-story apartments at all. She is very sympathetic to the housing needs for our county, and she hopes that there is another solution that would fit better for our county residents and the quiet lifestyle that they dreamed of when they bought the property, took loans out, and made payments on those. This is not what they were hoping for.

Director Spross stated that the department received an email from Benjamin Elsner and read it into the record (a copy is attached to the minutes). Mr. Elsner expressed his concerns regarding the proposed apartment complex development. The reason for his concern is primarily one of pedestrian safety. Coleman Road is already dangerous for pedestrians with no lighting, sidewalks, and an uneven gravel shoulder. Adding high density, low income housing is going to make the situation far more dire, and will absolutely result in pedestrian deaths if mitigations are not put into place. Namely, the installation of a sidewalk for pedestrians along Coleman Road for the new proposed housing to the intersection with the Lincoln Highway, along with the installation of lighting to improve visibility for both drivers and pedestrians. Additionally, a second walkway between the new development and Venturacci Lane should be considered, along with a potential pedestrian bridge over the canal connecting to Regan Place. Finally, the speed limit along Coleman Road should be reduced to 25 mph between Lincoln Highway and Venturacci Lane once the development has finished construction. He stressed that without these measures in place pedestrians will eventually be killed on Coleman Road.

There being no more public comment, Vice Chair Yates called the applicant back up to address some of the questions. Clayton Trapp asked Dan Eybs to address the traffic issues. Mr. Eybs said that he heard a comment about not trusting a traffic study from a developer engineering firm. He wanted to point out that they follow national standards when they do the traffic analysis, which comes from the Highway Capacity Manual when they calculate a level of service delay at intersections and on roadway segments, and also nationally adopted trip generation manual from the Institute of Transportation Engineers (ITE). They follow the national standards for that to determine how many trips will be generated by a certain density and type of development. He also said that their traffic study is independently reviewed by the county. They did meet with NDOT traffic engineers, who also did an independent review of the traffic study, and they addressed the comments in a revised version that was submitted last month. He pointed out that he feels that the traffic study can be trusted because it is based on nationally agreed upon standards and independently reviewed. Regarding peak hour traffic, he said that 2,993 is the average daily trips generated by 444 multi-family apartment units. This is according to the trip generation manual from ITE, 11th edition. Throughout the day you can expect 2,993 trips generated, during the AM peak hour there are 178 trips—both entering and exiting the development, and during the PM peak hour is 226 trips—both entering and exiting the development. The 18,000 vehicles per day capacity is based on the Highway Capacity Manual, 6th edition. It is a nationally adopted manual that helps to calculate the capacity of a specific roadway. He does agree that is a more idealized capacity number, and they would have to look specifically at Coleman Road and its constraints in order to determine a more accurate capacity for that. Based on planning level estimates, 18,000 capacity is

reasonable when calculated using the Highway Capacity Manual. Mr. Eybs further stated that Coleman Road as stated in one of the comments was 24'-25' wide, and typically a two-lane road would have 12' lanes. That is the road type that they analyzed at the intersection that is being proposed where the Moody Lane extension and Coleman Road meet. They would widen that to include turn lanes in the center of the through lanes, so at that intersection it is being widened to provide for those auxiliary lanes that he spoke about earlier. They are happy to provide more detail of the design for that intersection that shows the widening, but that is constrained to that specific intersection in their recommendations. There was a question about the number of units, which are 444. He said that they did count traffic on February 24, 2022 for the traffic study. He noted that one gentleman mentioned that there has been further development since then, but they took a "snapshot" on that date to do the traffic analysis. When they look at future years, they do apply a growth rate to those existing traffic counts. That growth rate is typically based on historical growth rates from traffic count stations in the area. NDOT does provide traffic count data for Coleman Road. This was a short-term hourly traffic count volume from June 22, 2021 through June 29, 2021 and the average daily traffic was 3,500 vehicles per day as existing on Coleman Road. That is how they came to an existing volume to capacity ratio. They took the count data from NDOT and used an idealized capacity for Coleman Road. Dan Eybs remarked that they did not look at crash history for Coleman Road, but they would be happy to look into that in a future letter to determine crash history to see if there is any hot spot mitigations; however, their study was confined to the traffic impacts of this development on surrounding roadways. The recommendations are to improve the new intersection of Coleman Road and Moody Lane as provided in the traffic study.

Clayton Trapp stated that he is from a small town, much smaller than Fallon and Churchill County. He really enjoys small towns. There were a lot of things said, and he sympathizes. Typically, regarding fencing, and specifically, perimeter fencing and protection, with a development like this you will have perimeter fencing to keep both sides safe, to keep people from trespassing, to keep children from wandering out, etc. That is something that was already proposed. He cannot talk about things like river safety, especially if they have a dedicated parcel for parks, takeouts, and those types of things. There are always safety issues, and he believes in safety—children and adults. There are always hazards when they go out, so looking at things like river safety, that is important. He knows that there is wildlife in the area, but informed that they were not required to do a wildlife study. That is something that certainly could be talked about as further development goes on. Mr. Trapp remarked that they will not be drilling any new wells, and they have a letter of intent from the county to provide 248.6 acre-feet of water, which would take care of their need for the development. They have the capacity to get there and use this. He addressed in general apartments. If you started out in life, chances are that you lived in an apartment. Pride in ownership is something that we all aspire to. He can't think of anybody that doesn't want to aspire to own their own home and to own their own land. Then here comes a 444 units with people going every which direction and wrecking your entire peace of mind and so on. Someone had mentioned HOAs, and he wanted to address that. HOAs have a place very similar to what unions had a place in American history. Before unions came along, Henry Ford would make people work 12 hours and call that a day, but when unions came along, they declared that 8 hours would be considered a day. It is the same thing with HOAs. In an ideal world, HOAs have a place where they maintain standards—your buildings have to be painted, your sidewalks have to be cleared, you have to have places to park, you can't have RVs, you can't have cars up on blocks, and so forth. These are things that protect the neighborhood and the value of the apartment. Someone asked about how they were expecting to have people ride bikes on Coleman Road, and another person said they ride their bikes all of the

time there. It seems obvious to him that Coleman Road may need to be widened in the future. Currently, within the bounds and the parameters of planning they have met those conditions, they can meet those conditions, and if there are further conditions, they can certainly talk about them and be open to them. He remarked that it is a good project in the sense that it fulfills the county's needs. The county set the parameters, the Planning Commission and the counsel, set the goals and the parameters in the Master Plan. They have done everything that they can to abide by those, as well as meeting with your able staff to help them to get to where they are right now.

Vice Chair Yates turned the discussion to the commissioners.

Member Nelson inquired as far as the traffic study goes if they did any structural integrity. Dan Eybs responded that they did not. Member Nelson explained that the problem he has, and he doesn't believe that they did anything wrong in their traffic study other than using current NDOT standards for traffic, but the road is not built to NDOT standards. The safety features aren't there, the slopes aren't there, the guardrails aren't there, and the structural integrity is not there, which is not their fault. It seems that they are using a standard that is over on one side with a road that is on a far other side. This is an issue. Clayton Trapp confirmed that is a fair question or observation. They can't address what has happened in the past. All they can do is look to the future and find a way for both sides to get what is needed and what the constituency demands in this case. He stated that they have a good ownership group that has been very open about the amount of money that they want to invest in the community to get not only what is good for the community, but also good for them to invest in this area. He imagines that there is a transportation plan as well as a county road plan of what roads need to be improved to come up to the standards as Member Nelson noted this road that is below NDOT standards currently, or weren't built to NDOT standards. Member Nelson then mentioned that they stated the capacity ratio is at 35%. Dan Eybs confirmed that it is 35% of volume to capacity ratio. Member Nelson said that he doesn't totally understand that because the next thing he said was that they were adding 87%. Mr. Eybs answered that the current ADT (average daily trips) is 3,500 vehicles per day on Coleman Road. They are adding approximately 3,000 vehicles per day, so that is an 87% increase above existing traffic volumes. Member Nelson then asked if that brings their total to 35%. Mr. Eybs remarked that the new total would be approximately 6,500 vehicles per day. Member Nelson then questioned based upon that traffic study they are saying that the road could handle 19,500 trips per day. Dan Eybs stated that the idealized capacity is 18,000 for that roadway. They are saying that when the project is built out, it can be expected that 6,500 vehicles per day on Coleman Road, which is approximately 35% of the capacity of that roadway. Member Nelson clarified that what they are indicating is that the idealized capacity of that roadway is 18,000-19,000 trips per day. Mr. Eybs agreed.

Member Bunyard understands the improvements coming off of Moody Lane with the turn lanes, which they would be able to do because they would move the lot line in to give more road easement, and Mr. Eybs confirmed that the widening is to the north side of Coleman Road at their development to allow for additional lanes. Member Bunyard then mentioned that they also stated that they would make improvements if they had to at the light where Coleman Road and Highway 50 intersect. Dan Eybs remarked that the project maintains an acceptable level of service with the additional traffic at Coleman and US 50. The recommendations never said that improvements are needed, but they did look at improvements that would help at that intersection would be to allow permissive left turns from Coleman onto US 50. It would increase the level of service at that intersection. Member Bunyard then pointed out that on the other end of this is Coleman Road and the Lovelock Highway (US 95). How would they adjust for that intersection? There is a telephone pole there that everyone knows is right in the way, and even trying to make a right turn heading

south on the highway is difficult. He asked if they take a look at that regarding how they would fix any of that. Dan Eybs declared that they did their due diligence and looked at capacity at that intersection specifically, and what their analysis showed using the national standards as a guide to come up with their numbers, they showed that they were still operating well above the minimum level of service for a national highway system roadway, which US 95 is. There were no recommendations to improve that intersection. Member Bunyard brought up and what Member Nelson was indicating also is whether they took into account the bridge and the obstacles at that intersection. Dan Eybs responded that they did not get that detailed; they didn't do an existing conditions survey that would be that detailed. They did a high level capacity analysis based on existing volumes and that anticipated additional trips at that intersection. Member Bunyard regarding the comments the developer made about the HOA asked if they had any more specifics that could be shared to educate about HOAs. Clayton Trapp answered that there are a lot of horror stories that you generally hear about HOAs, but he wanted to reiterate that they also serve a very good purpose. This is to maintain standards, and we see it in everyday life—the planning standards that they are designing these developments to. The HOA has a very important role of protecting, not only the folks who live in these locations, but also protecting the owners as well. There are things like maintaining structures, maintaining roofs, maintaining your apartments at a level where you are charging a certain amount and it is actually worth that amount, so you don't have any so-called hovels or slums. They also maintain the HOA of controlled landscapes, open spaces—making sure that everything is manicured and a place where people can live and play, and that goes for the playgrounds as well. HOAs will typically oversee clubhouses, pools, basketball courts, and any other recreational facilities; these will be owned and maintained by the HOA. That is all common area; they will also own the loop roads that go through the development. The only thing that will be dedicated will be Moody Lane and Coleman Road, and the rest of it is maintained by the HOA. Jim Barbee, County Manager, clarified that the individual building owners will be members of the HOA, not the renters. Clayton Trapp confirmed that to be correct. The owners of the buildings are the voting members of the HOA, along with what will be dedicated to Parks and Recreation, which will offer the county a vote in the HOA as well. The people who rent there will have to abide by the rules of the lease.

Member Diehl asked for clarification that these apartment are rentals, or a person buys a unit and then they rent the apartments. Clayton Trapp explained that these are different from a condominium where a person buys the unit they live in; however, these are not that. They are not individually owned. They are all owned, initially, by the developers. The developers can, at their discretion, sell one lot (i.e. one building) to another investor, who wants to realize the same profits or make that type of investment in apartments. If the apartments are well maintained, they actually make better profits than the ones that aren't. He further explained that someone could own a building with a certain number of apartments in it, and they can rent those out. The renters do not get to vote in the HOA, but the owner of the building does. Member Diehl then questioned if one developer is not going to develop all of these. Mr. Trapp replied that, initially, it is all owned by the developer. At their discretion, at some time in the future, they could sell off a building. Member Diehl verified that there will be 440 apartments to which Mr. Trapp agreed that keeping within the density of 16 or less dwelling units per acre, they are at 15.47 dwelling units per acre at 444 units. Member Diehl then inquired if they would be connecting to the county water and sewer systems, and Clayton Trapp responded in the affirmative. Member Diehl asked if they would need a lift station, and Mr. Trapp agreed and indicated that it would be somewhere in the southwest corner. This is part of the recommendation, and they will need that because they can't get everything

through gravity. Member Diehl questioned if these were three level buildings. Clayton Trapp pointed out that the height limitation on, even residential homes, where most of these people are located, is 35 feet. This is the same for them at 35 feet; however, what they described to you and some of the pictures that were shown are less than 35 feet, some are at about 30'-32' high.

Director Spross stated that there are several pages in the staff report regarding county code criteria review, which are the determinations that the commission needs to make in order to make their decision. He shared the recommended conditions for approval of these applications.

Recommended Conditions:

- 1) The maximum number of apartment units is limited to 444 units. The actual number of units shall be adjusted to meet calculations limits in County Code.
- 2) The Tentative Subdivision Map and other materials shall be updated within 60 days to add details for compliance with Churchill County Code, and reflect requirements of these conditions of approval to the satisfaction of County Department Heads. Disputes shall be resolved by recommendation of the Planning Commission and approval by the BOCC. Failure to update materials in a timely manner will require reconsideration by recommendation of the Planning Commission and approval by the BOCC.
- 3) The Final Subdivision Maps shall be in substantial conformance with the approved Tentative Subdivision Map. A submittal not in substantial conformance must be approved as a modified tentative map by recommendation of the Planning Commission and approval by the BOCC.
- 4) The plan for the handling of each road shall be clearly indicated in the tentative map, as described in the Staff Report or determined at the hearing, to clearly state what is to be built and what is to be offered to the County. The proposed easement/right-of-way width, construction standard, and end of proposed road length (where applicable) for each road shall be clearly labeled. All roads shall be shown to be offered for dedication, and drawn based on whether the County plans to accept the offer.
- 5) Additional road improvements shall be provided as indicated below. The tentative map and/or handbook shall identify and label such measures.
 - a) Privately maintained streets shall be signed to indicate they are privately maintained.
 - b) Street lighting shall be provided for the paved portion of Moody Lane meeting County standards. Street lighting on other streets shall be determined by the developer. Lighting shall be installed with the associated road improvements.
 - c) Pedestrian safety improvements shall be installed to County standards, and as directed by the Road Supervisor.
 - d) Improvements required by the NV Dept. of Transportation shall be installed.
- 6) The river takeout park:
 - a) Shall be constructed with the facilities listed in the Staff Report.
 - b) Shall be offered for dedication on the tentative map, and the County plans to accept the park with approval of the Final Map.
 - c) Park facilities shall be constructed at the developer's expense and constructed with other subdivision infrastructure.
 - d) Acceptance of the park by the County will be contingent on a 1-year guarantee after construction.
- 7) CC&Rs shall include the following items:
 - a) The County's river takeout site shall be included within the boundaries of the Homeowners Association (HOA); but the County shall not be assessed fees, and the HOA shall not be responsible for site maintenance once the County takes on maintenance of the site.

- b) All street lighting and common area lighting shall have power and fixture maintenance costs paid by the HOA.
- c) All non-park landscaping shall be maintained by the HOA.
- d) Stormwater basins and drainage pathways shall be maintained by the HOA.
- e) The interior loop road and all private driveways shall be maintained by the HOA.
- 8) The tentative map's statement of CC&Rs shall summarize the use of the HOA and maintenance responsibilities.
- 9) The tentative map shall include a diagram of planned sewer and water main routing, both on-site and off-site, with existing main sizes and expected main sizes. Labels shall be included regarding plans for the dedication of improvements.
- 10) Off-site and on-site sewer and water infrastructure shall be designed and constructed to County standards. In addition:
 - a) Existing water and sewer lines lying outside the project that need to be upgraded to serve the project shall be completed at the developer's expense, as determined necessary by the Public Works Director.
 - b) Any sewer lift station upgrades needed to serve the project shall be completed at the developer's expense, as determined necessary by the Public Works Director.
 - c) Any additional water main segments needed to meet looping requirements shall be installed at the developer's expense, as determined necessary by the Public Works Director.
 - d) County sewer and water infrastructure shall be extended to the point of departure for the river takeout site, and individual service shall be extended to the takeout site.
- 11) Changes to the project materials shall be made for compliance with Churchill County Code, including but not limited to:
 - a) Documentation of compliance with the Multi-Family Development standards in CCC 16.16.020.8(I)
 - b) Documentation of total required parking and ADA parking spaces.
 - c) Documentation of sign area.
 - d) Water dedication requirements shall be met before Final Map submittal.
- 12) Tentative map shall be modified to reflect any changes required by the County Surveyor, including but not limited to the following:
 - a) Changes to clearly illustrate/document proposed abandonments.
- 13) All open spaces must be landscaped in substantial conformance with the approach provided in the submittal materials.
- 14) The 2 school bus turnouts requested by the Churchill County School District, and currently shown on submittal materials, shall be installed with construction of the interior loop road.
- 15) Any changes in layout or construct recommended by the Fire Marshall shall be implemented.

Director Spross pointed out that there are three applications in front of the Planning Commission—the special use permit motion for findings and motion for decision, which is a decision made by the Planning Commission, the variance motion for findings and motion for decision, which is also a decision made by the Planning Commission, and the tentative map motion for findings and motion for decision, which is a recommendation to the Board of County Commissioners. He further said that staff, based on adherence to the Churchill County Code and the documents that were received, recommends approval on this project.

Vice Chair Yates called for a motion regarding the special use permit.

Member Nelson, 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 Special Use Permit criteria found in CCC 16.08.080(H) on APNs 008-301-11 & 008-301-12. Specifically, the proposal fails to be compatible with the existing surrounding land uses and development, and it does not adequately mitigate the road and traffic impacts generated by the construction and build out of the project. Member Diehl seconded the motion and the decision carried by unanimous vote.

Member Bunyard, based on the previously adopted findings made for this project, moved to deny the Special Use Permit application for Vertex Fund LLC to authorize a Multi-Family Development on APNs 008-301-11 & 008-301-12. Member Diehl seconded the motion and the decision carried by unanimous vote.

- H. Consideration and possible action re: An application for a variance from the lot density and all setback requirements filed by Vertex Fund 3, LLC, for property located on Coleman Road, Assessor's Parcel Numbers 008301-11 and 008-301-12, consisting of 5.20 and 26.24 acres respectively in the R-3 zoning district. The applicant proposes to create 19 lots within the large apartment complex property using a nearly zero-lot-line development approach.

Discussion for this item was combined with the previous item (Special Use Permit application).

Vice Chair Yates called for a motion regarding the variance.

Member Nelson, 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 16.08.090(F) regarding a Variance on APNs 008-301-11 & 008-301-12. Specifically, the proposal fails to be compatible with the existing surrounding land uses and development, and it does not adequately mitigate the road and traffic impacts generated by the construction and build out of the project. Member Diehl seconded the motion and the decision carried by unanimous vote.

Member Bunyard, based on the previously adopted findings made for this project, moved to deny the request for Variance from lot density and all setbacks found in CCC 16.16.020.1 on APNs 008-301-11 & 008-301-12. Member Diehl seconded the motion and the decision carried by unanimous vote.

- I. Consideration and possible action re: A tentative subdivision map filed by Vertex Fund 3, LLC for property located on Coleman Road, Assessor's Parcel Numbers 008-301-11 and 008-301-12, consisting of 26.24 and 5.20 acres respectively in the R-3 zoning District. The applicant proposes to create 19 lots within the large apartment complex property.

Discussion for this item was combined with the previous item (Special Use Permit and Variance applications).

Vice Chair Yates called for a motion for the recommendation regarding the tentative subdivision map.

Member Nelson, 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 16.04.040(C) and CCC 16.04.050(A) regarding an application for a Tentative Subdivision Map on APNs 008-301-11 & 008-301-12. Specifically, the project fails to conform to existing and surrounding land uses, and it does not adequately mitigate road and traffic impacts generated by the construction and build out of the project. Member Diehl seconded the motion and the decision carried by unanimous vote.

Member Bunyard, based on the previously adopted findings made for this project, moved to recommend that the Board of County Commissioners deny the Tentative Subdivision Map for the Riverstone Apartments on APNs 008-301-11 & 008-301-12. Member Diehl seconded the motion and the decision carried by unanimous vote.

Vice Chair Yates thanked the applicant and advised that their recommendation regarding this item would be forwarded to the Board of County Commissioners at a future meeting. He further stated that there is a ten-day appeal period in which the applicant could file an appeal of their decisions.

J. Consideration and possible action re: Election of Chair and Vice Chair.

It was noted that since Vice Chair Yates' term was expiring at the end of December 2022 and there were only three remaining commissioners at this meeting. Director Spross suggested tabling this item until they could fill some of the vacant seats on the Planning Commission.

Member Bunyard moved to table the election of officers until the next meeting. Member Diehl seconded the motion and the decision carried by unanimous vote.

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 temporary use permit for a temporary residence during home construction previously granted to John Gurney for property located at 6550 Zephyr Lane, Assessor's Parcel Number 008-133-53. The applicant stated that the permit is no longer necessary since they are now living in Fernley, Nevada.

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

12. Public Comment:

There were none.

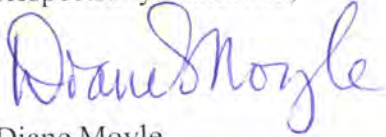
13. Adjournment:

There being no further business to come before the Planning Commission, Vice Chair Yates adjourned the meeting at 10:51 p.m.

14. Appendix:

Supporting Documentation

Respectfully submitted,

A handwritten signature in blue ink that reads "Diane Moyle". The signature is written in a cursive, flowing style.

Diane Moyle
Administrative Assistant



CHURCHILL COUNTY
PUBLIC WORKS, PLANNING, & ZONING

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STAFF REPORT FOR PLANNING COMMISSION MEETING – December 14, 2022

Prepared December 7, 2022

PLANNING COMMISSION MEMBER-STAFF MEETING

A meeting was held on December 7, 2022 to review the project applications listed below that are on the agenda for the December 14, 2022 Planning Commission Meeting. Site visits were made as noted.

• C & A Rentals (Frey) Sending Site application	Page 2	No Site Visit
• Corbett Variance from minimum lot area	Page 3	No Site Visit
• Safety Kleen SUP for hazardous chemical storage	Page 5	No Site visit
• A&K Earthmovers SUP for mining and asphalt plant	Page 9	No Site visit
• Old Stone Ranch PUD	Page 13	No Site visit
– PUD Permit for residential development		
– Tentative subdivision map		
• Riverstone Apartments	Page 29	No Site visit
– SUP for multi-family development		
– Variance for zero-lot-line development		
– Tentative subdivision map		
• Consent Agenda	Page 41	No Site Visit

PC Members Present

Zack Bunyard
Deanna Diehl

Staff Members Present

Dean Patterson
Chris Spross
Diane Moyle
Joe Sanford

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>TDR Sending Site Approval</u>	Use Listing:	<u>Agriculture & Single Family</u>
Applicant:	<u>C & A Rentals (Colby Frey)</u>	Owner:	<u>C & A Rentals</u>
Site:	9125 Flying K Ranch Rd; 8500 Pasture Rd., and 9170 Pasture Rd. and nearby farmland (APN: 006-092-05, 006-093-18 & -19) 707.5 acres with 408.35 acres of surface water-rights		
Designations:	Master Plan - Agriculture // Zoning - A-10		

Summary: This application is for approval of a Sending Site and Transfer of Development Rights calculation. The subject property meets the 20-acre minimum parcel size for a sending site, has water rights, meets the zoning district requirements, totals more than 100 acres, and is located within the military operations buffer zone. The applicant requested an additional residence on one of the properties.

The Sending Site Committee reviewed the application on November 7, 2022 and recommends approval of the sending site. The Committee recommended a total of 762 TDRs.

Staff Recommendation: **APPROVAL - as provided below.**

- **For APPROVAL the motion should include:** Based on the information provided in the application, in the staff report, and heard at this hearing, I move to recommend the following to the Board of County Commissioners:
- (a) approval of the Sending Site application for C & A Rentals on property at 9125 Flying K Ranch Rd; 8500 Pasture Rd., and 9170 Pasture Rd. (APN: 006-092-05, & APN 006-093-18 & -19), consisting of 707.5 acres with 408.35 acres of surface water-rights, based upon meeting the criteria for a Sending Site; and
 - (b) approval of 762 TDRs for the same property.

Application:	<u>Variance from 10-acre min. lot size</u>	Use Listing:	<u>Agriculture & Residential</u>
Applicant:	<u>Nancy Corbett</u>	Owner:	<u>Nancy Corbett & Roy Rodgers Jr.</u>
Site:	8750 Pioneer Way (APN 007-151-82) – 20.06 acres		
Designations:	Master Plan –Agriculture // Zoning – A-10		

Proposal: The applicant and her brother own the subject property, which includes a farmstead and irrigated farm land of 20 acres. The applicant owns (with spouse) an adjacent property – 9000 Pioneer Way – that includes a farmstead and irrigated farm land of 12 acres. Both properties have been in the family for a long time and are used as a single farm. At some point they were split into the current configuration. The financial interest in the subject property needs to be divided for estate planning purposes, but the owners do not want to split the property into smaller farm lots, nor expend the cost (including road building).

The proposed Variance is from the 10-acre minimum lot size requirements for the A-10 zoning district that are found in Table 16.16.020.1, and in the A-10 zoning district code description CCC 16.08.150. The variance will allow a Boundary Line Adjustment that shrinks the subject property down to the farmstead and a small acreage of 3 irrigated pastures totaling approximately 3 acres (exact area to be determined in the BLA). The remaining irrigated farmland will be attached to the other lot, increasing it to around 29 or 30 acres. The boundary line would follow the edge of the large field north of the home, leaving the 3 small pastures surrounding the home.

The proposed Variance is from the 10-acre minimum lot size requirements for the A-10 zoning district that are found in Table 16.16.020.1 and CCC 16.08.150. In reviewing the request, the Planning Commission should refer to:

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

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

The existing lot is oddly shaped with arbitrary line placement that does not match actual management of the farm. The proposed BLA will place the large fields of both properties together onto one lot that has a regular, rectangular shape, and will allow the full acreage of the large farm to remain on one lot. If the variance is not approved, the 20-acre farm would have to be split into 2 10-acre smaller farm lots. Progressively dividing farmland impairs its function and eventually removes it from production.

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.

Strict application of the 10-acre lot size to farmland tends to take farmland out of production due to the difficulties of farming small areas. It would also require reconfiguring the water delivery system around the new smaller lots, which would require elimination or alteration of existing canals and drains, and/or the construction of new ones.

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 requested Variance and proposed BLA would cause no change in the existing land uses, nor be detrimental to nearby land uses or improvements.

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

The proposed variance is consistent with the Master Plan and Development Code intent to protect the viability of farming in the valley. It will allow continued use of both farmstead and farm by the current owners without impacting farm production.

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 16.08.090(F), as described in the Staff Report.

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 request for a Variance from the 10-acre lot size requirements in Churchill County Code Table 16.16.020.1 and CCC 16.08.150 for Nancy Corbett on APN 007-151-82.

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. The approved lot size is approximately 3 acres, with the lot line expected to follow the edge of the large farm field north of the farmstead.
2. The approval of this variance expires one year from the date of the final decision. An application for a Boundary Line Adjustment to create the approved lots must be submitted before expiration.

Application:	<u>Special Use Permit</u>	Use Listing:	<u>Chemical Manufacturing</u>
Applicant:	<u>Jeremy Moss for Safety-Kleen</u>	Owner:	<u>Safety-Kleen Systems Inc.</u>
Site:	22211 Bango Road (APN 007-071-80 & -81) – 30.5 acres (total)		
Designations:	Master Plan – Industrial // Zoning – Industrial		

Background: Safety Kleen operates the existing motor oil re-refinery located on Bango Road. Earlier this year, the company obtained a Special Use Permit to add a glycol refining unit and expand the administrative offices. During that review, it was observed that the chemical storage tank proposed in this application was located along the railroad siding that serves the facility. It was a “box-style” tank that looks like a cargo container. It is fitted with pipe attachments for filling and emptying. The tank sat within a portable soft-sided spill containment system. The tank holds regular deliveries of the chemical until there is enough volume to ship the chemical out by rail.

At that time, Staff inquired about the tank and learned that it was used to store chemicals from a local electronics manufacturer. **NOTE** that the Staff has received numerous inquiries over time from various owners and facilities about storing chemicals from what is probably the same manufacturer, and has consistently informed the parties that a Special Use Permit was needed.

Staff commented that the containment appeared far too small to contain a tank failure. (The company learned this was true and indicates that it will replace the containment facility to provide adequate volume.) Staff also pointed out that Hazardous Chemical Storage requires a special use permit, as does expansion of the chemical facility – so the company committed to getting the storage tank permitted. In subsequent communications, Staff pointed out that the hazardous chemical tank is located outside the existing facility perimeter, and the unsecured location next to Bango Road allowed easy access by vandals or criminal elements. The company has proposed measures in the application.

Project Summary: The company is requesting to add additional facilities to the chemical manufacturing facility. The proposal is to authorize an existing 21,000 gallon hazardous chemical tank to store N-Methyl-2-Pyrrolidone, also called NMP. The chemical is used in electronics and other manufacturing. The safety sheet is included in the submittal its hazards, but does NOT appear to be in the list of the MOST hazardous chemicals. The new chemical has consequences relating to emergency services and spill hazards.

- The tank location is next to the rail spur serving the chemical manufacturing plant, just next to the rock slope of the rail bed. The tank location is outside the existing fenced perimeter,
- The company proposes to extend the security fencing to enclose the storage tank and its service area. This will place the tank within the security perimeter of the refinery, where its 24-hour operating staff will be able to observe activity at the tank.
- The tank has been placed on the original gravel driveway along the tracks (running to a nearby gate in the existing fenced perimeter). Delivery trucks have been pulling up next to the storage tank on the adjacent dirt area. The application proposes to pave the truck transfer area, which will also make minor transfer-spills easier to clean up rather than soaking into the ground.
- Spill containment will be added to the rail tracks location where rail transfers will take place.

Note that the applicant does not request a change to the oil refining functions or volume limits placed on the facility in previous permit approvals (including the glycol refining unit).

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.

Surrounding land uses are industrial, rail uses, electricity transmission, and open desert. The proposed chemical tank will not change the overall nature of the chemical manufacturing facility, nor substantially change operations, as long as spills are controlled to not affect neighboring properties. The small amount of truck traffic generated by chemical deliveries will not affect nearby development and uses.

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

The **Master Plan** establishes land use districts that are implemented by the zoning districts. The facility is an industrial use, in an industrial zoning district, and in an industrial master plan designation. The proposed new facilities will continue to be in conformance with the Master Plan and Code.

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

The new chemical tank will not substantially alter the facility's use of public services and infrastructure. Emergency services may be affected in their response if the chemical tank is involved in an emergency event. A recommended condition will require that the emergency response plan be updated to account for the chemical and its storage, and that coordination take place with emergency responders. The Fire Marshal has been consulted about the proposal. A shed, container, or tank normally requires a Placement Permit or other review by the Building Dept.

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

Previous decisions for the refinery allowed a certain volume of truck traffic, which was not the expected daily traffic, but rather a contingency volume of truck traffic in the event that rail service was interrupted. The submittal indicates that the storage tank will generate a small amount of truck traffic from the company delivering the chemical, roughly one per day or 30 per month, and sometimes a little more. This traffic falls well within the previously approved truck traffic. The excerpt below provides a description of the allowed truck traffic. Note that Item 5 refers to 60 wastewater truck deliveries; but that number was reduced to 10 when the glycol unit was approved in the last permit, thereby eliminating most of the wastewater generated by the plant.

[excerpt from previous permit]

... ..

- (4) The true volume of truck traffic is by far dominated by off-site events that obstruct normal rail deliveries, such as rail system back-ups and breakdowns. This causes the need to transfer or re-route product to trucks, which results in a surge of truck traffic to keep the facility running at consistent volumes. The established truck limit number needs to actually be based on these situations, not on the normal and consistent deliveries. These surges would not be normal traffic volumes on the road.
- (5) The requested 180 oil-based trucks per month and 60 wastewater-based trucks per month would allow for the off-site events. While the site has been handling surges within the current limit (120 trucks/month; 4/day), this is at the limit of the facility's logistical abilities (including lab testing operations). The requested 180 trucks per month will ease the logistical challenges, but not change the actual truck traffic much.

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 Truckee Canal causes elevated groundwater in the area, which increases groundwater contamination concerns in the case of a spill. The existing unsecured location, the easy access to the tank from a nearby public road, and the resulting risk of vandalism or other intentional actions that can cause a spill all greatly increase the potential of a chemical spill contaminating the groundwater. The proposed security measures to (a) ensure adequate spill containment, (b) enclose the chemical tank in a security fence, and (c) make the area accessible by refinery personnel for security purposes, greatly mitigates the problem. Paving the truck transfer area also reduces the risks of minor daily spills. Staff recommends that a spill control kit specialized to the chemical be kept at the site.

With the risk of vandalism reduced by security measures, the remaining risk is physical damage, such as a crash. The spill containment method uses a portable and fragile device, that is not comparable to the durable containment structures in the main refinery. A crash would cause the spill but also destroy the spill containment. Staff recommends that barriers be installed such as bollards or concrete blocks that would be similar for protecting fuel storage facilities.

The Fire Marshal has been consulted and agrees with proposed and required security and safety features.

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 APNs 007-071-80 & -81.

[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 for Safety-Kleen Systems to authorize a chemical storage tank on APNs 007-071-80 & -81.

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. The proposed environmental safety and security measures and changes required in the conditions of approval shall be installed within 90 days.
2. Within 30 days, the following items shall be implemented. A Spill Kit shall be kept at the chemical tank. The site's operations manuals, emergency response plans, and SDS Handbook shall be updated

to incorporate issues related to the proposed chemical storage. The applicant shall inform and coordinate with emergency responders regarding the new chemical and new facilities.

3. Crash protection measures must be installed around the spill containment system using standards similar to the protection of fuel storage tanks and that are acceptable to the Fire Marshal.
4. All appropriate state permits must be obtained and maintained for the proposed chemical tank.
5. The truck traffic limit for the overall facility is NOT modified for the chemical tank. Truck traffic must be maintained within the approved limits.
6. Previous conditions of approval continue to apply, except as modified by this decision.
7. The project must be in conformance with County Code.
8. All necessary building permits shall be obtained for installation of all proposed facilities
9. The project must remain in compliance with all state and federal requirements.
10. 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>Special Use Permit</u>	Use Listing:	<u>Mineral Extraction & Processing (+Asphalt Plant)</u>
Applicant:	<u>A & K Earthmovers</u>	Owner	<u>Paul Gianoli</u>
Site:	No address near I-80 Jessup Exit (APN 005-091-23) – 640 acres		
Designations:	Master Plan – Rural // Zoning – RR-20		

Project Summary: The application is proposing to permit a new commercial Mineral Extraction and Processing operation with an asphalt plant on Interstate 80, north of the Jessup exit (located in between the exit at Trinity and the exit at Brady Hot Springs/Nightingale). A proposed area of mining is NOT provided, and will need to be stated in the decision. A rough calculation based on diagrams in the submittal is 40 acres.

The applicant will lease the site from the owner, and may operate at the site for as long as 5 years. The proposed operation is illustrated on the site plan and includes, arranged from north to south: (a) the excavation area, the crushing and screening area, the “marinating” area (a process to increase surface adhesion), and the asphalt plant area. All facilities are mobile, and may be moved to other sites as needed. The submittal includes pictures of machinery and facilities. The site will operate during construction season, possibly during weekends (which also requires a SUP), and normally between 6 am and 6 pm. Work is normally during daylight hours but may need nighttime lighting. The site would not normally operate during cold weather months. Directional signage to the mining site is proposed, though advertising signage is not proposed.

The operation will have 6-8 employees on-site, but no permanent facilities are proposed. Temporary facilities are proposed, including a portable office and portable restrooms. Drinking water will be brought to the site. Dust control water will be trucked to the site. In addition to on-site employee traffic, major road projects will generate extensive truck traffic to the site - the application estimates 108 truck visits, or 216 trips.

An expected excavation depth is not provided. The mine area would eventually cover the entire 40-acre site. The processing equipment and machinery will likely migrate across the site as new excavation areas are worked. No reclamation is proposed. The proposed mining area is just north of a previous mining area that occupies the SW corner of the property and extends west onto BLM land. These areas too are not undergoing reclamation.

Mining operations may be subject to various other state permits; such as for air pollution, surface disturbance, stormwater control, site reclamation, mine safety, etc. Notice was sent to state agencies, but no comments have been received.

Criteria Review:

CCC 16.08.080(H) Findings: Findings from a preponderance of evidence must indicate that the proposed use:
1. Is compatible with the existing surrounding land uses and development.

See Criterion 5 for assessment of environmental impacts on neighbors. The surrounding land is vacant private or BLM land, or mining sites on private or BLM land. I-80 lies about a mile to the south. The only other nearby use is a power transmission line running through the subject property, and through the proposed mining site. Typically, mining operation could create compatibility problems with nearby residences, but there are none. Adjacent mining areas seem to avoid actual excavation within the utility easement and associated road. Staff recommends similar treatment for the proposed mine site. With such measures, this mine is compatible with other uses and development.

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 zoning district for the site and surrounding area along I-80 is RR-20 for some distance in all directions. **Mineral Extraction is an allowed use** for the zoning district in the development code's Use Table, and it must be reviewed through a Special Use Permit. Most Master Plan policies are not applicable to the development of commercial and industrial uses or are neutral in terms of general industrial 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.

Also see compatibility issues discussed under criterion 1, above. See criterion 5 regarding environmental impacts. The proposed development must conform with the County Development Code. Conditions of approval will address specific issues, including:

- **Generally:** No new buildings or other facilities are proposed, so building setbacks and heights are not applicable, and the site will be distant from property lines anyway. The site shows an employee parking area at each of the 3 major operations areas with adequate parking spaces. There will be no customers visiting the site, so sewer and water facilities for them will not be needed. Mining will be seasonal, so permanent facilities are not needed. Drinking water for employees will be brought to the site. Sani-Huts near the parking lots will be provided for employees that will be on site or visiting. There is no outdoor storage of materials other than overburden stockpiles and product stockpiles, so screening is not needed. No advertising signage is proposed. No permanent business is proposed, so landscaping is not required. There are no different types of neighboring uses, so Friction Zone standards do not apply.
- **Lighting** is proposed when needed, mainly at the edges of the workday. Lighting should meet the Lighting Code dark skies standards by directing lights downward as much as possible rather than horizontally. Staff recommends a condition to prohibit flood lighting pointed at the freeway.
- **Setbacks and Easements:** There are many dirt roads running through the area, and records show some as being RS 2477 public roads. Use of these roads is discussed in Criterion 4. The proposed site is adjacent to the existing power transmission line and its road, which may or may not be an RS 2477 public road. Staff recommends establishing a 30' setback between the edge of road and the adjacent excavation, and recommends the actual excavation be excluded from any powerline easement. In addition, Criterion 4 discusses road easements to authorize access across intervening properties reaching to the Jessup exit. Staff recommends a condition to establish a 30' setback between such easements and the excavation area and operations machinery.

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

There are no public sewer and water services available at the site. On-site sewer and water service will not be needed since there will be no customers, and seasonal employees will use portable/temporary facilities. Power exists near the site, though its use will be up to the power company. Otherwise machinery will run on fuel engines or generators. Public road infrastructure is discussed below. Other public infrastructure will not be impacted.

Police service will be minimally impacted from the attraction for theft and vandalism at a remote site. Fire service will be minimally impacted from the increased risk of brushfire caused by increase human and machinery activity, and the storage of fuel for machinery. Fire and police services are not overburdened.

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

The property where the Jessup exit is located has a segment of the Immigrant Trail that passes through it, which now serves as a main east-west road through that property. Since the trail existed before the land was transferred to the railroad, it was and continues to be a RS 2477 public road. After passing eastward through BLM land, the RS 2477 trail also runs across the SE corner of the subject property. Similarly, a second trail intersects this trail near the Jessup exit, and runs NW through the property, then north through the hills to Granite Springs Valley. This trail is also an RS 2477 road. Another early road follows the power transmission line through the proposed mine site, but would have been established specifically for the power line, and after the land transfer to the railroad; so it is not likely to be an RS 2477 public road though the road still needs protection as the utility access road.

While there are no publicly maintained roads within the mine site or serving the mine site, there are public road easements on the segments of RS 2477 roads. One of these will serve as part of the access road to the site. Recommendations are included to prevent damage to the road ensure it is maintained to its current condition.

Aside from the RS 2477 roads, it is unclear if there are access easements that allow owners/users of nearby properties to pass through the intervening properties to access the Jessup interchange. Staff recommends a condition to confirm/establish appropriate access easements reaching to the mine site without trespass.

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 to adjacent properties are:

- (1) Dust generated from road traffic and during mining operations can impact adjacent uses, especially during windy days which can include blowing sand. The only adjacent use of concern is I-80 and other mine sites. State permitting requires dust control on the site for mining and processing activities, which should be adequate to control site excessive dust. Staff recommends that the operation implement site dust control measures and road dust control measures (such as applying water), and that mining activity should stop if high winds cause blowing dust to reach the freeway.
- (2) Noise at the site from mining machinery and truck traffic will be substantial, often exceeding 100 db. However, there are no neighbors to hear the noise. Employee safety measures will be in place.
- (3) 2 drainage pathways or gullies run through the proposed site at the east and west ends. The basins for them are approximately ½-1 square mile each, which is small enough not to present a substantial flash flood hazard.
- (4) Mining without reclamation degrades natural resources. State mine reclamation requirements need to be met.

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

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 APNs 007-071-80 & -81.

[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 for A & K Earthmovers to establish a Mineral Extraction, Processing, and Asphalt Plan operation with weekend hours on APNs 005-091-23 near the I-80 Jessup exit.

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 approval is limited to an excavation area of 40 acres.
2. Documentation of access easements to the site shall be provided to the Public Works Director before mining, processing, or asphalt plant equipment is set up. This includes obtaining any new easements for access.
3. No excavation shall take place within the power transmission line easement. No excavation or processing machinery operation shall take place (a) within 30 feet of the edge of an access easement, or (b) within 30 feet of the edge of the power transmission line road.
4. The condition of RS 2477 public roads used to access the mine site shall be maintained. The costs of repair and maintenance shall be at the mine operators expense.
5. Dust from mining and processing activity and road traffic shall be controlled. Activity must stop if windy conditions cause dust to reach the freeway.
6. Night time lighting shall be directed toward the interior of the property, and shall not be directed toward the freeway.
7. The applicant and operator shall obtain all required federal, state, and local agency permits, and must operate the site in compliance with those permits. This includes any required mining and reclamation permits.
8. Operations shall be conducted in a manner that does not create a nuisance (public or private) under Nevada law or Churchill County Code.

Application 1:	<u>Old Stone Ranch Planned Unit Development Permit</u>		
Application 2:	<u>Old Stone Ranch Planned Unit Development Tentative Subdivision Map for</u> <u>(a) a Merger and Re-Subdivision of the North Unit, and</u> <u>(b) a standard Subdivision of the South Unit</u>		
Use Listing:	<u>Planned Unit Development – Single Family and Multi-Family</u>		
Applicant:	<u>Nev Dev LLC</u>	Owner:	<u>Verner Homes Nevada LLC</u>
Site:	5 parcels – 107+/- 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)		

Current Stage of PUD Process:

The proponents of the Old Stone Ranch Planned Unit Development (**PUD**) have submitted the next step out of several in the PUD approval process. The applicant previously went through the 2 steps of the concept stage for the PUD – one being a Planning Commission workshop, the other being a Planning Commission Hearing. They took comments made during the concept review from the public and Planning Commissioners and have been refining the project. In addition, there have been extensive meetings with staff, and the project incorporates staff comments as well.

The next step in the PUD process is to submit the application for the PUD Permit, which is reviewed by the Planning Commission Public at a hearing. The Planning Commission makes a recommendation to the Board of County Commissioners (BOCC). This 1st hearing has been noticed to neighboring owners and in the local newspaper, as will the next hearing for the BOCC

Below are the Code requirements for the PUD Permit stage. This staff report serves as the detailed review described in Item 13, in preparation for the Planning Commission Hearing. It includes the tentative subdivision map review referenced in Item 15.

CCC 16.12.040.3.E. Application process.

... ..

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.

9. a. Upon completion of the planned unit development application and supporting information the applicant can submit to the planning department. Submittal should specifically address all concerns and comments that were raised by the staff and planning commission during the conceptual review process.

.....

10. The planning staff will review the submittal for completeness and accept or reject the application (one week following submittal).

11. When the request is deemed complete the staff begins review.

12. Approximately two to three weeks after initial submittal, staff will have a meeting with the applicant to review the request and ask for any additional information needed and review comments from other county departments.
13. Upon completion of staff review the request will then be placed on the agenda for the next planning commission meeting for review and recommendation.
14. Following the planning commission meeting the item will be forwarded to the county commission for action.
15. Following approval of the planned unit development application the applicant may proceed with preparation of a tentative map(s). Tentative maps must be prepared in accordance with requirements of a subdivision tentative map. Where a tentative map will be filed simultaneously with a PUD application the applicant must meet with staff following the public hearing on the conceptual map to determine development standards and design elements.

FYI – After a Tentative Subdivision Map is approved, it is followed by a Final Subdivision Map. This is also reviewed by the Planning Commission, who makes a recommendation to the BOCC. Though it is not subject to full noticing provisions (neighbors and newspaper). Normal public meeting noticing is provided. The approval is to ensure that code requirements and conditions of approval have been met before recording the map.

Note that the language above refers to a “tentative subdivision map”, but in this instance there is the need to merge existing lots before subdividing the larger property. The North Unit and South Unit are physically separated from each other (by the sewer lift station property and road), so each will need a Final Map that is separate from the other. For the North Unit this uses the official terminology of a “merger and re-subdivision” (as allowed under NRS), and it too has a “tentative map” and “final map” stage. The merger and re-subdivision (a) eliminates existing lot lines, (b) merges the lots together, and (c) re-subdivides the property all in one process rather than multiple processes. Existing utility easements can be abandoned within the same process. For the South Unit, the process will be a standard “subdivision,” but the lots will have to be merged and any easements abandoned as separate preliminary steps.

An important point is that a PUD and a Tentative Subdivision Map are ***PLANS***, and are not intended to be unchangeable or designed to construction detail. Some adjustments, shifting, and minor changes are allowed in the final designs. This is a distinction between “tentative” plans and “final” plans. The subdivision laws specifically have the Tentative Subdivision Map stage, and the Final Subdivision Map stage. Similarly PUDs have the construction or land division stages that come afterward. As a general rule, the standard is that the final plan “substantially complies” with the approved tentative plan.

Applications:

The project submittal includes two permits: the PUD Permit, and the Tentative Subdivision Map permit. Both decisions receive 2 hearings - at the Planning Commission and Board of County Commissioner (BOCC). While each permit is different, both permits require an array of reports and studies that are mostly the same. All studies for the project are packaged into the PUD Handbook submittal, and include:

- Traffic Study – including multiple letters of amendment
- Geotechnical Report
- Drainage Report
- Grading Plan
- Preliminary CC&Rs (conditions, covenants, and restrictions)

Summary of Project

The details of the project are fully described in the submittal materials. 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.
- **Phasing Plan:** A detailed Phasing Plan is provided in the submittal. Major elements include: (a) completion of Old Stone Parkway/ Casey Road intersection improvements, (b) completion of Birch Lane/Allen Road intersection improvements, (c) segmental construction of Old Stone Parkway (d) connection of Old Stone Parkway to Birch Lane, and (e) phasing of County park improvements. Park phasing contingencies are included to account for whether development of either the North Unit or South Unit happens first.
- **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. Both townhomes and apartments are considered multi-family development in the County Code, subject to specific requirements and review through a SUP. Buffers for adjacent single-family development to the east and west are proposed, as required by Code. See the submittal for details. Numerous small blocks of open space are planned within the multi-family areas. See maps for details.
 - **Apartments** - Note that the layout of apartments are shown in the PUD exhibits. This is a conceptual layout, of how the apartment buildings could be laid out within some general rules, such as buffers and setbacks. The actual number of proposed apartment units and their associated parking lots are included in the layout, but required amenities are not shown. There is a large undeveloped area that was set aside and provides extra space for flexibility. A future developer would determine final layout of the apartment complex within the limits imposed by the PUD. The apartment complex will require a Special Use Permit at the time it moves forward to demonstrate compliance with the PUD and County Code.
 - **Townhomes** – The townhome area is laid out with much more certainty, though the final layout of townhome blocks may shift somewhat – again within some general rules, such as buffers and setbacks. The actual number of proposed townhomes and their associated parking lots are included, but required amenities are not shown. There is a large area of undeveloped area that was set aside and provides space for flexibility. The townhomes complex will require a Special Use Permit at the time it moves forward to demonstrate compliance with the PUD and County Code.
- **South unit** - Includes two areas of single family homes on either side of the proposed parkway, and a proposed community park along Birch Lane that will be offered for dedication to the County. Trails and blocks of open space are planned along the edges of the single family areas. See maps for details. While the layout of the single family homes could be shifted around, it is very likely to be in a final configuration.
- **Normal Open Space Area** that is required is 20% of property, or 21.4 acres. The residential 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 meets the required acreage. Note that there is additional undesignated space within the boundaries of the Townhomes area, and the Apartments area that are not allocated toward the 20% requirement, but will be available for amenities and additional open space for both areas.
- **Open Space must be developed.** Examples include lawn areas, other landscaping, open space hardscape (not normal street sidewalks), sports facilities, child play areas, etc. An exception is that protected special natural areas (like river vegetation) do not need to be developed – providing a cost savings. Note that in previous designs, the applicant proposed natural open space for the grassland at the south end of the project. However, that space is now needed for stormwater detention. Normally ditches, drains, and stormwater ponds cannot be counted as open space without special approval. The applicant proposes

that some agricultural drain segments and the stormwater ponds be built into a park setting and be allowed to count as open space. The decision on this request is embedded with the Motion of Decision.

- **Density Calculations**

- **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 617, or 189 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 the open space areas in the project. The park is over and above the normal 20% open space requirement, bringing the total open space to at least 31.4 acres. Proposed Average Density for project is **5.77 units per acre**.

- **County Park:** There has been extensive discussion between the applicant and the County regarding specific facilities to be included in the park. However, the PUD materials are somewhat vague. Staff recommends the following specific items for clear expectations of the constructed facility: (a) 10 acres of area, (b) 7 acres of irrigated grass sports fields, (c) a well and well house (the County will provide water rights), (d) the irrigation drain piped and filled through the park (for child safety reasons), (e) 1-acre of other landscaping with irrigation, (f) approximately 1-acre of gravel parking areas, (g) security lighting for common areas (parking, restroom, perimeter paths), (h) a restroom building with men's and women's facilities and community sewer, water, and power systems, (i) non-hardscape trail connections to the PUD trail system that may use natural vegetation for landscaping.

Note that the 10-acres of the park will be landscaped to County specifications rather than the standard PUD open space rules. The park would be transferred to County ownership after construction, subject to construction and plant growth guarantees. Staff recommends conditions to deal with its transfer to the County.

- **Traffic and Access**

- **Primary Access and Major Roads:** The project has performed a Traffic Study that has had multiple update letters. It recommends intersection improvements at the 2 primary points of access: (1) on the north edge at the Casey Road/Old Stone Parkway intersection, and (2) to the east at the Birch Lane/Allen Road intersection. The traffic study and intersection improvements can be found in the submittal. Old Stone Parkway (partly within an existing easement) is proposed to run through both the North Unit and South Unit. It will be a collector road. Birch Lane runs east-west between the North Unit and South Unit, and provides access to Allen Road. It too will be a collector.
- **Minor Access:** There are several points of minor access. Along the west side of the North Unit is an existing development with 4 roads dead-ending at the property: Eagle Rock Road, Big Horn Drive, Black Bird Road, and Elizabeth Parkway. These will be extended through the townhomes to connect with Old Stone Parkway. Eagle Rock Road will not be located within the existing easement for it; but rather that location will be abandoned and re-established. There will be no public roads through the apartment complex, only driveways. Birch Lane fronts most of the South Unit. There are small residential streets connecting to the north side of it. Neighborhood streets serving the project's single family homes will connect with Old Stone Parkway and Birch Lane.

- **Pedestrian Access:** Pedestrian facilities are proposed within the PUD project, on streets and trails. None are proposed off-site. Most of the population (5/6 of the density) and associated pedestrian use will be in the North Unit.
- **Water and Sewer Service:** The project site is adjacent to the existing County water and sewer systems: North Unit's west edge, South Unit's north edge. Primary service mains will run through the townhome and apartment areas, and in the single family area roads.
- **Stormwater:** The applicant has provided a drainage report for dealing with stormwater. The concept is to use surface drainage rather than subsurface pipes to reduce infrastructure costs and maintenance difficulties. This would include street gutters and landscape swales for routing water to detention basins placed throughout the development. The applicant proposes to design and landscape them, and requests that they be allowed to contribute to the open space.
- **Irrigation Facilities:** The project has 3 BOR/TCID facilities on the property. One on the northmost edge (Pine Road). One on the southmost edge that was first thought to run through the property, but then found to run along the property line. And one through the middle (near Birch Lane) that is proposed to be piped. The north and south facilities are not being altered. Both BOR and TCID have been involved with the project.

County Code Criteria Review:

Some land use permits have review criteria that are sometimes the same as, or similar to the criteria for other permits. The Old Stone Ranch PUD has submitted 2 permits. To avoid duplicating text to review the same criterion more than once, the text for it may refer to the other criteria location.

Planned Unit Development Criteria Review:

CCC 16.08.125.E. Planned Unit Development Findings.

2. The commission, in forwarding a recommendation to the board for approval of a planned unit development application shall make the following findings of fact:

a. Growth and/or other development factors in the community support a change in the land use.

The County's Master Plan, in many locations, outlines the growth and development factors that are creating a critical housing shortage of all types of housing, especially multi-family development, which is proposed by the project. The submittal outlines Master Plan policies relevant to the project. The project lies in an infill area amongst other urban and suburban development, which further supports the proposed change in use. One opportunity available is the use of a Planned Unit Development, such as the proposed project.

b. The change in land use represents orderly development, and that adequate services and infrastructure to support the proposed land use are available in the area.

The project lies in an infill area amongst other urban and suburban development, which is an orderly step in the community's development. The project's north end is located near commercial land uses in the Walmart area, which supports the concept of multi-family development in the North Unit. Providing multi-family development can be proposed through a Planned Unit Development, as submitted for this project. Planned Unit Developments must use the County's community water and sewer systems, and the project is in close proximity to these. Adequate capacity in services and infrastructure is available for the project. Refer to CCC 16.04.050(A) Criterion 4 below for additional discussion of infrastructure and services.

c. The change in land use provides for an appropriate use of the land.

The project lies in an infill area amongst other urban and suburban development, which supports the proposed change in land use. The project provides for an appropriate use of the land by providing

efficient use of sewer and water services, placing the proposed multi-family density in the North Unit, and providing friction zone buffers adjacent to other land uses..

d. *The proposed land use is in substantial conformance with the master plan and other adopted plans and policies.*

The County's Master Plan, in many locations, outlines the growth and development factors that are creating a critical housing shortage of all types of housing, especially multi-family development. The submittal outlines Master Plan policies relevant to the project. Also see CCC 16.04.050(A) Criterion 1, below, regarding additional review of Master Plan policies. The County's many water planning documents contain policies supporting the efficient use of the County water resources, and multi-family development is the most efficient of residential uses.

e. *The proposed land use and project is sensitive to and compatible with the use and development of the adjacent properties.*

See CCC 16.04.050(A) Criterion 2, below, regarding the protection of, and compatibility with adjacent development

Subdivision Criteria Review:

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

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

- **Building Setbacks, Building Height:** Setback and height limits in the zoning code are superceded by those established in the PUD. See the submittal for tables that establish setbacks for different areas within the project. Setbacks vary greatly depending on the part of the PUD. The apartments can exceed the normal 35' height limit for the top of roof, but the eaves must meet the 35' limit because of fire ladder truck limits. Also see Friction Zones below.
- **Easements:** Eagle Rock Road will not be located within the existing easement for it; but rather that location will be abandoned and re-established. There are a number of existing public utility easements on the property. Some follow existing property lines that will be eliminated, or even the lines of lots that no longer exist. These need to be shown on the map, and those that are to be abandoned clearly labeled.

Agricultural irrigation easements and facilities run through the project in 3 locations. The applicant and County have coordinated with the Bureau of Reclamation and TCID regarding the facilities. North Edge - A deliver canal runs along the north edge of the project, and Pine Road turns onto the canal road, though it is not an official road right-of-way. The applicant does not intend to alter the canal, but may confine the road to the irrigation easement. South Edge - Old maps show that a drain runs diagonally through the south area of the South Unit, then meets and follows the south property line. In discussions with BOR and TCID it was determined that this drain had been moved south to ONLY follow the south property line. The applicant does not propose any alterations to the facility. Documentation needs to be included on maps of the drains actual status. Middle - a drainage facility runs east-west between the North Unit and South Unit, and through the proposed community park. The project proposes to pipe and fill most of the drain. This will require federal permitting. Plans for the drain need to be indicated on the tentative map and documented on the final map. Appropriate permits need to be obtained for altering the facility.

- **Lot size and width:** The lots size and width requirements in the zoning code are superceded by those established in the PUD. Instead of specific numbers, the overall density of the project is determined, and then lot sizes for both single family and multi-family lots can be flexible based on the developers plan.
- **Access, sewer, and water facilities:** See comments under Criterion 4, below, regarding infrastructure. Each new lot will be served by the County's community sewer and water systems, and will have access to a public or private road or driveway.
- **Water rights and community development fees:** The County has 4 community development fees: roads, parks, schools, and water dedication. The road fee is required at the time of Final Subdivision Map. The park and school fees are required at the time of residential construction – they will not be required with the land division. Projects connecting to the community water system do not have to meet surface water dedication requirements but must meet the groundwater dedication requirements instead.
- **Friction Zones:** The County Code provides for special requirements and buffers between different land uses, which are called Friction Zones. The code provides for a buffer between single family and multi-family development, and the project provides such a buffer for the North Unit on the east and west sides, with the west side providing at least 80' of building setback to the property line. In addition, the Code requires that land divisions adjacent to agricultural operations provide a plan to protect the agricultural operation. This requirement applies to the South Unit, which fronts the Ugalde and Hammond farming operations. The project proposes to place open space along those boundaries, in the form of blocks of open space land, or trails between the single family home lots and the farming property line. Staff recommends that a rear fence be constructed to better separate the properties along the farming operations. Staff also recommends a rear setback of 70 feet between the farming operation property line and a residence to ensure the home is placed more street-ward than toward the rear property line. Either 20' or 35' of this distance will fall within the trail area, depending on the location.
- **Multi-Family Development Standards:** CCC 16.16.020.8.I establishes specific standards for multi-family development. The submittal shows that these are generally met or can be met, but the Code also requires the townhomes and apartments to obtain Special Use Permits when the detailed development plans for those areas have been determined and can demonstrate compliance. The density requirement is superceded by the approved PUD density for multi-family areas. The PUD open space and the additional non-assigned open spaces in the multi-family areas appear to exceed the requirement. Amenities have not been identified at this time, but will be in the SUP, and adequate area is available to provide amenities. Conceptual plans show that the needed parking can be provided for the multi-family areas.
- **Parking and Landscaping:** The parking code requires single family lots to have 2 spaces per dwelling, which is easily accommodated on the proposed lots. The parking code requires multi-family development to have 1.5 spaces per dwelling, which has been incorporated into the design of the townhomes and apartments. Those layouts may shift, but the required SUPs for both will ensure that full parking has been provided. Regarding landscaping, the County Code requires multi-family parking lot landscape trees, friction zone buffer landscaping, and PUD landscaping. The proposed project is extensively landscaped and meets all landscaping requirements. However the plans for what will be installed for landscaping is vague. In addition, early designs had proposed that some special natural vegetation areas be protected and not "developed" as allowed by code. However, the most recent submittal has changed the plan for those areas to serve as detention. Staff recommends conditions to

(a) ensure that “developed landscaping” is installed to for all open space areas, and (b) provide descriptions in the Handbook for typical approaches to landscaping for different project situations to be approved Public Works Director. The HOA will maintain all proposed and requires landscaping, except for the County park.

- **Lighting, and Signage:** Specific lighting standards are not discussed in the submittal. Lighting for the multi-family parking lots and buildings will be reviewed with those SUPs. Lighting for the single-family homes will be reviewed with those building plans. Staff recommends that street lighting be provided for Old Stone Parkway, and that it be installed to County standards. Lighting will be up to the developer for other streets and driveways. The HOA must pay for the power and maintenance of street lighting facilities. The submittal proposes a project sign for the North Unit at the Casey Road entrance, and a project sign for the South Unit at the Birch Lane/Old Stone Parkway intersection. They are embedded into a large decorative structure. The dimensions of the signs themselves are not stated, but appear to be about 10’ long X 4’ high, or about 40 square feet. The sign code allows residential developments to have signs of up to 40 square feet. Staff recommends that a sign for each unit be allowed that meets code requirements. Signs for the apartments and townhomes can be allowed with those SUPs.
- **Deviations:** The PUD Handbook proposes to greatly reduce the normal code requirement, such as setbacks, density, exceeding height limits, etc. This is allowed for PUD projects. But the handbook proposes to also allow further “deviations” from the standards by up to 20%, to be approved by the HOA Architectural Committee. Further reductions should NOT be made so easy. Staff recommends that the regular variance and minor variance processes in County Code be used for any additional deviations from the standards approved in the Handbook.

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

1. Conformity with the master plan.

The Master Plan designates the area as Urbanizing and is implemented by the existing R-1 & E-1 zoning districts. Most Master Plan policies are not applicable to the issue of a land division. The exception is **GOAL LU 2** and Policy LU 2.1, which discuss compatibility issues that are discussed under criterion 2, below. In addition, the Public Services and Facilities **Chapter 9** extensively discuss requirements for major developments using community sewer and water services, which the project follows. These are addressed in depth in the plans, and discussed under Criterion 4. The submittal provides additional discussion of policies.

2. Compatibility with existing adjacent properties and uses.

The new single family lot sizes in the South Unit range between 1/4 to 1/3 acre with a few being smaller. The existing home sites surrounding the south unit are approximately 1 acre in size, except that the lots at the west end of Birch Lane are a 1/2 acre. Those in the North Unit are in the 1/5 acre range, which is comparable to homes west of the North Unit. Even if new lots are smaller, they are still of the single family residence character, and are generally compatible with surrounding uses.

The proposed townhomes and apartments are multi-family development, though townhomes are designed to be more similar to single family and individually owned. To the east and west of them are single family residences: west are 1 acre homesites, east are small urban lots as small as .2 acres (1/5 acre). The project proposes to meet the friction zone standards along the east side, and provide an even larger separation (at least 80’) on the east side, often resulting in over 100 yards of building separation.

With the substantial setbacks, design considerations, and landscaping the multi-family development can be compatible with adjacent uses.

Traffic generated by the project and users of the new County park may cause compatibility problems. It will be tempting for residents and park users to use Pine Road and Cedar Road as a shortcut to Walmart greatly increasing the traffic compared the existing situation. Staff recommends installing physical access controls. Examples include installing a “pork chop” to obstruct access; and marking those intersections as “DO NOT ENTER” northward, while allowing southward exit onto Birch Lane.

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

Comments have been raised (especially in social media) that the tenants of the multi-family areas will be of unsavory character (drug users and criminals). This likely stems from the impression of other apartments in the community or elsewhere that are of lower quality and rental price. The townhomes will operate more like single family homes, with units being individually owned. The apartments will be of higher quality and rental price than most other local apartments. Both areas will be landscaped far better than other local apartment complexes, will have quality amenities for the tenants, and will be maintained by an association. The long term maintenance will be cared for far more consistently than if individuals were responsible. Friction zone standards and the significant separation of the apartments from properties to the east will reduce any disturbances.

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

Emergency and School Services: The Sheriff’s Office and Fire Marshal have been involved in meetings with the applicant. Issues have been raised and the project modified to deal with those issues. For example, while the apartment roofs may be allowed to exceed 35’ height limit, the roof eaves may not do so because of fire ladder truck limitations. Discussions with the school district indicate that there will need to be school bus turnouts in the North Unit: 2 street-side turnouts on the townhomes side, and 2-3 turnouts at main entry drives on the apartments side. These turnouts must prevent school busses from having to travel the narrow driveways in the multi-family areas. Staff recommends these as bus stops.

Water Service: The project site is adjacent to the existing County water system: North Unit’s west edge, South Unit’s north edge. The submittal shows utility routing, but the ability of existing adjacent mains to support the additional demand is unclear. Staff recommends conditions to ensure that the County is not responsible for unforeseen improvements to serve the development. The North Unit has a major water line running to Onda Verde and beyond that follows the unbuilt portions of Eagle Rock Road and Old Stone Parkway. Note that this line was somehow constructed partly outside the road and utility easements. In addition, the applicant proposes to move Eagle Road Road south of the current easement location. The applicant proposes to move the water line into the newly constructed Eagle Rock Road right-of-way. The County has a redundant (back-up) well at the north end of the project and a major water line for raw water connecting to the water system that runs south in the unbuilt parts of Old Stone Parkway and Black Bird Road. Service mains will run throughout the North Unit. There may be off-site upgrades to the water system needed to serve the areas and there may be looping requirements that come into play. The South Unit will be served by the water main running in Dallas Road, turning onto Dixie Drive, and extending down Birch Lane to near the County’s sewer lift station. This main may have to be upgraded in size, and other off-site improvements may be needed. Service mains for the single family neighborhoods will run within the streets, and will be looped back to the County system in Birch Lane. There may also be looping requirements in the larger area, such as connecting to the North Unit within Old Stone Parkway. Improvement details for both units will be worked out with the Improvement Plans.

Sewer Service: The project site is adjacent to the existing County sewer system: North Unit's west edge, South Unit's north edge. Staff recommends conditions to ensure that the County is not responsible for unforeseen improvements to serve the development. The North Unit has a force main line running from the sewer lift station on Birch Lane to Onda Verde and beyond, located in the unbuilt portions of Old Stone Parkway to Casey Road. A major sewer line runs south to the sewer lift station following Elizabeth Parkway, and then the unbuilt segments of Elizabeth Parkway and Old Stone Parkway. Service mains will run through the townhome and apartment areas, connecting to the existing mains. The South Unit will be served by building sewer mains within the streets and running to the Birch Lane sewer lift station. The west side can be gravity drained to the lift station; while the east side will be gravity drained west, to a lift station on Old Stone Parkway, then pumped north to the gravity system serving the west side. Improvement details for both units will be worked out with the Improvement Plans. It is possible that off-site upgrades to service mains or the sewer sewer lift station may be needed to serve the areas.

The County has issued an **Intent to Serve** letter for both sewer and water service, as required by NRS. This is contingent upon adequate capacity being available at the time project construction moves forward with a Final map. At that time, a **Will Serve** letter will be issued.

Existing Roads: Casey Road lies on the north side of the project. It is a paved County-maintained road within the south edge of the federal irrigation easement. That easement is supplemented by an additional road easement width established from previous land divisions. Birch Lane runs between the North Unit and South Unit. It is a paved County-maintained road within a right-of-way that (a) is of variable width, (b) sometimes lies in an easement entirely on the project site, (c) sometimes lies in an easement entirely on the opposite-side properties, and (d) sometimes lies in County owned land.

For the North Unit, several existing roads end at the west property and will be extended through the project to Old Stone Parkway: Eagle Rock Road, Big Horn Lane, Black Bird Road, and Elizabeth Parkway. These are County roads within 50' easements built to urban standards (curb/gutter/sidewalk). Pine Road lies to the east, but the north end turns onto the dirt TCID canal road running along the north edge of the project. This segment is also referred to as Pine Road, though it has no official right-of-way, and informal use has dramatically expanded it outside the canal easement. 3 homes north of the canal take access from the canal road. The project (a) will leave the canal road in place, (b) will not use it, and (c) may confine it to the canal easement so project land can be used for open space. For the South Unit, the neighborhood to the north has roads that intersect with Birch Lane: Dallas/Dixie Drive, Pine Road, Cedar Drive, and Silver Circle. These are mostly paved County roads within 60' road easements.

Primary Project Access: The project has 2 primary access points on major collector roads: the Casey Road/Old Stone Parkway intersection on the north edge of the project, and the Birch Lane/Allen Road intersection east of the project. The applicant has performed a Traffic Study that has multiple update letters, and it recommends improvements at the 2 primary access intersections. Project traffic to and from the north will be to Casey Road, then connecting east to the traffic light at US 50, and to a lesser extent west on Casey Road. Based on the traffic study, the project proposes intersection improvements on Casey Road, as shown in the submittal. Project traffic to and from the east will be on Birch Lane to its intersection with Allen Road, then north to the city or south towards the Navy base. To a lesser extent, traffic may run west on Birch Lane towards Lattin Road. Based on the traffic study, the project proposes intersection improvements on Allen Road, as shown in the submittal.

Major Roads: The two access points will be connected by the new Old Stone Parkway running through the North and South Units. The Parkway will use a special road standard that includes a 60' right-of-way that will be entirely taken up with improvements, including a center turn lane, and increased sidewalk

dimensions. Old Stone Parkway will be constructed by the applicant, and the right-of-way land and improvements will be dedicated to the County and accepted for County Maintenance. The submittal illustrates the road. Birch Lane fronts most of the South Unit and provides access to Allen Road. The road is in substandard condition and needs repair. Much of this will be performed with (a) the water line looping along the road frontage, (b) water main upgrades at the west end of Birch Lane, and (c) re-alignments at the Birch Lane/Allen Road intersection. Staff recommends that the remainder segment also be reconstructed, and phased with the Allen Road intersection improvements. Those portions of the Birch Lane right-of-way lying on the applicant's property will be dedicated to the County. On-site and off-site improvements will also be dedicated to the County, with off-site improvements using a separate process. In addition, Staff recommends that the Birch Lane/Old Stone Parkway intersection receive turn-lane improvements, as determined by the Road Supervisor. Improvement details for both roads will be worked out with the Improvement Plans.

Minor Roads: There are several minor roads that will connect to the major roads. In the North Unit, the existing roads to the west will connect to Old Stone Parkway, though some will have to transition from one standard to another. The existing roads are built to the 50' urban County standard (with curb/ gutter/ sidewalk). After extensive discussions with the applicant, the County staff recommends the following standards:

- The connecting Elizabeth Parkway segment will continue the same standard to Old Stone Parkway, and will be accepted for dedication and maintenance by the County.
- The connecting Black Bird Road segment will continue the same standard to Old Stone Parkway, and will be accepted for dedication and maintenance by the County.
- The connecting Big Horn Drive segment will continue the same standard to the project property, and will be accepted for dedication and maintenance by the County. Then it will transition to the proposed townhome driveway standard, which will not be accepted for ownership or maintenance by the County. Driveways will be maintained by the project Home Owner's Association.
- The connecting Eagle Rock Road segment will transition to a 60' urban County standard through its curve to the east and then run to Old Stone Parkway, and will be accepted for dedication and maintenance by the County. The new east-west segment of Eagle Rock Road will not be located within the existing easement for it; but rather that location will be abandoned and a new one re-established.

In the South Unit, after extensive discussions with the applicant, the County staff recommends that the new minor roads serving the single family lots from Old Stone Parkway and Birch Lane be built to the 60' urban County standard, and not accepted for ownership or maintenance by the County. These streets should be signed as privately maintained. They will be owned and maintained by the project Home Owner's Association. Also see Criterion 2 regarding project traffic "short-cutting" through the adjacent neighborhood to reach Walmart.

Pedestrian Access: Pedestrian facilities are proposed within the PUD project, on streets and trails. No facilities are proposed off-site. Street pedestrian safety facilities, such as crosswalks and street lighting must be installed to County and Orange Book standards. See lighting discussion above regarding street lighting locations.

Stormwater: The applicant has provided a drainage report for dealing with stormwater. The concept is to use surface drainage rather than subsurface pipes to reduce infrastructure costs and maintenance difficulties. This would include street gutters and landscape swales for routing water to detention basins, which would be placed throughout the development to hold storm drainage. These are in open space areas. Normally detention ponds are utilitarian and unsightly, so they normally cannot be counted as open

space. The applicant proposes that they will be very gently sloped at 6:1, will be landscaped like the rest of the property, and requests that they be allowed to contribute to the open space. Plans for the North Unit show it to be intensively developed with roofs, roads, and parking areas, so stormwater is an important consideration in the project layout. The plans show stormwater basins throughout the townhome area. Detention basins are not shown for the Apartments, which will be designed in detail later. However, large basins at the south end of the North Unit will provide sizable storage volume for the apartments. An existing stormwater pond at the end of Elizabeth Parkway will be shifted eastward to be next to Old Stone Parkway. Stormwater for the South Unit will be simple to deal with, given the low levels of impervious surface. For the entire project, the preliminary drainage report is not clear about the capacity and catchment area of individual drainage basins. The report will need to be updated.

Dedication of Road, Utility, and Other Easements and Improvements. As required by NRS 278.378, the offers to grant easements, and dedicate land to the County must be accepted or rejected along with approval of Final Subdivision Maps on the BOCC approval certificate.

- The County normally accepts all easements shown on the map.
- Staff recommends that offers of dedication for road land and improvements be accepted or rejected as described above.
- Staff recommends the on-site sewer and water system improvements constructed to serve the project be accepted for dedication. Many of these will be within the roads. Those that are off-site improvements will need to be offered/accepted by a separate document.
- Staff recommends that any abandonments of utility easements take place on the final maps, or by separate process run concurrently with the map approval.

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

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

STAFF RECOMMENDATION:

APPROVAL

NOTE that the Planning Commission is making a recommendation to the Board for BOTH the Planned Unit Development and Tentative Subdivision Map.

PLANNED UNIT DEVELOPMENT 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 16.08.125.E. regarding an application for a Planned Unit Development Permit for Old Stone Ranch PUD.

[For APPROVAL - Staff Report provides adequate findings.]

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

PLANNED UNIT DEVELOPMENT 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 recommend that the Board of County Commissioners:
 - (A) [**APPROVE // DENY**] the Planned Unit Development Permit for the Old Stone Ranch PUD on APNs: 008-792-11, 008-792-95, 008-831-77, 008-831-85, 008-831-86
[For APPROVAL add] This approval is subject to conditions, as listed in the Staff Report.
 - (B) [**APPROVE // DENY**] the request for density bonus in exchange for the proposed County Park.
 - (C) [**APPROVE // DENY**] the request to include irrigation facilities and stormwater basins that are specially landscaped in the Open Space calculation.

TENTATIVE SUBDIVISION MAP 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 16.04.040(C) and CCC 16.04.050(A) regarding an application for a Tentative Subdivision Map for the Old Stone Ranch PUD.
[For APPROVAL - Staff Report provides adequate findings.]
[For DENIAL – add additional findings:] Specifically, the project fails to**[ADD NEEDED REASONING RELATED TO CRITERIA]**

TENTATIVE SUBDIVISION MAP 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 recommend that the Board of County Commissioners [**APPROVE // DENY**] the Tentative Subdivision Map for the Old Stone Ranch PUD on APNs: 008-792-11, 008-792-95, 008-831-77, 008-831-85, 008-831-86
[For APPROVAL 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) The PUD materials and Tentative Subdivision Map shall be updated within 60 days to reflect requirements of these conditions of approval to the satisfaction of County Department Heads. Disputes shall be resolved by recommendation of the Planning Commission and approval by the BOCC. Failure to update materials in a timely manner will require reconsideration by recommendation of the Planning Commission and approval by the BOCC.
- 2) All Final Subdivision Maps shall be in substantial conformance with the approved PUD and Tentative Subdivision Map, and subject to the following:
 - a) A submittal not in substantial conformance must be approved as a modified tentative map by recommendation of the Planning Commission and approval by the BOCC.
 - b) A Final Merger and Resubdivision Map for the North Unit shall be submitted that excludes the South Unit.
 - c) A Final Subdivision Map for the South Unit shall be submitted that excludes the North Unit.

- d) Final maps for subsequent phases shall not be submitted until infrastructure for the previous phase is constructed.
- 3) Construction of the North Unit shall progress consecutively according to the Phasing Plan. Construction of the South Unit shall progress consecutively according to the Phasing Plan. Construction of the County Park, and the on-site and off-site road improvements shall be implemented according to the Phasing Plan. Phases may not be implemented out of turn, but may be implemented concurrently with adjacent phases.
- 4) A diagram illustrating the plan for abandonment of existing road easements, utility easements, and parcel lines shall be added to the tentative map. Tentative map drawings shall be updated, as deemed necessary by the County Surveyor, to clearly illustrate/document proposed abandonments. All roads and easements that are to be abandoned shall be abandoned through the appropriate process before Final Maps are recorded.
- 5) The plan for the handling of each road shall be clearly indicated on the tentative map, as described in the Staff Report or determined at the hearing, to clearly state what is to be built and what is to be offered to the County. The proposed easement/right-of-way width, construction standard, and end of proposed road length (where applicable) for each road shall be clearly labeled. All roads shall be shown to be offered for dedication, and drawn based on whether the County plans to accept the offer. Driveways through the townhomes shall not be offered for dedication.
- 6) Additional road improvements shall be provided as indicated below. The tentative map and/or handbook shall identify and label such measures.
 - a) Privately maintained streets shall be signed to indicate they are privately maintained.
 - b) The Birch Lane/Old Stone Parkway intersection shall receive turning lane improvements, as determined by the Road Supervisor, and installed with the associated Birch Lane improvements noted below.
 - c) Birch lane shall be reconstructed. This shall be accomplished with water line installation, where applicable. The remaining length (mainly eastward from the project) shall be completed with the Birch Lane/Allen road intersection improvements, and included in the Phasing Plan.
 - d) The developer shall work with County Staff to determine measures to use on Birch Lane at the Cedar Drive and Pine Road intersections that prevent northbound turning onto Cedar Drive and Pine Road. The improvements shall be included into the Phasing Plan to be implemented with the first Final Map of the South Unit, or the Connection of Old Stone Parkway to Birch Lane.
 - e) Street lighting shall be provided for Old Stone Parkway to County standards. Street lighting on other streets shall be determined by the developer. Lighting shall installed with the associated road improvements.
 - f) Pedestrian safety improvements shall be installed to County standards, and as directed by the Road Supervisor.
 - g) Improvements required by the NV Dept. of Transportation shall be installed.
- 7) If the proposed density bonus is approved in exchange for the community park:
 - a) the park shall be constructed with the facilities listed in the Staff Report.
 - b) The park shall be shown as an easement and offered for dedication on first Final Map of the South Unit, though the County does not plan to accept the park at the time.
 - c) Once any usable park facilities are constructed the applicant shall enter into an agreement with the County to authorize use of the park, in a manner acceptable to both parties.
 - d) Once the park is fully constructed, the County will accept dedication of the park on the next Final Map, or by separate action at a later date.

- e) Acceptance of the park by the County will be contingent on a 1-year guarantee after construction, except where such time period has already passed.
- 8) CC&Rs shall include the following items:
- a) The County Park shall be included within the boundaries of the Homeowners Association (HOA); but the County shall not be assessed fees, and the HOA shall not be responsible for park maintenance once the County takes over maintenance of the park.
 - b) All non-park landscaping shall be maintained by the HOA.
 - c) All street lighting and common area lighting shall have power and fixture maintenance costs paid by the HOA.
 - d) Stormwater basins and drainage pathways shall be maintained by the HOA.
 - e) In the North Unit, all private driveways in the townhomes and apartments area shall be maintained by the HOA.
 - f) In the South Unit, all roads except Old Stone Ranch shall be maintained by the HOA.
- 9) The PUD Handbook shall describe the use of HOAs, including any layering of multiple HOAs to address management differences within the PUD.
- 10) The conceptual layout of the townhomes and apartments that is shown in the PUD materials and tentative map are approved. Detailed design of the townhomes must be approved by Special Use Permit concurrently with a Final Map of the area. Once approved, individual townhome blocks must be constructed by the Master Developer. Detailed design of the apartments must be approved by Special Use Permit before construction. Both multi-family developments must demonstrate conformance with CCC 16.16.020.8(I) Multi-Family Development.
- 11) The improvement plans for off-site and on-site sewer and water infrastructure shall be designed to County standards. In addition:
- a) Existing water and sewer lines lying outside the project that need to be upgraded to serve the project shall be completed at the developer's expense, as determined necessary by the Public Works Director.
 - b) Any sewer lift station upgrades needed to serve the project shall be completed at the developer's expense, as determined necessary by the Public Works Director.
 - c) Any additional water main segments needed to meet looping requirements shall be installed at the developer's expense, as determined necessary by the Public Works Director.
 - d) Moving the existing water line to lie within the new configuration of Eagle Road will be at the developer's expense.
- 12) Changes to the handbook shall be made for compliance with Churchill County Code, including but not limited to:
- a) Impact Fee requirements shall be met according to timing in the County Code.
 - b) Water dedication requirements shall be met before Final Map submittal.
 - c) The proposed concept for 2 project signs is approved at locations. Sign face area shall conform to the County sign code maximum area of 40 square feet for each sign.
- 13) Any final changes required by the County Surveyor shall be made prior to recording.
- 14) At the time of submittal for Improvement Plans, an updated Drainage Plan shall be provided that clearly assesses each drainage basin in relation to its catchment area.
- 15) Descriptions of the typical landscape approach for different areas of the project shall be included in the Handbook, and must be acceptable to the Public Works Director. All PUD open spaces must be developed in conformance with the handbook with the phase they are associated with.
- 16) The tentative map shall clearly show the plan for dealing with irrigation facilities. Information shall be included on Final Maps documenting the status of the drain along the south edge of the project

and through the middle of the project. All necessary permits for altering facilities shall be obtained.

- 17) The handbook shall indicate that deviations from the established standards be reviewed according to the variance provisions in County Code.
- 18) School bus turnouts shall be provided in the North Unit as recommended by the school district, and included on the tentative map.
- 19) In addition to proposed friction zone measures, the following additional measures shall be implemented:
 - a) A solid rear property line fence shall be installed to better separate the single family lots along the farming operations in the South Unit. The fence shall be installed at the time of Final Map infrastructure for the associated lots.
 - b) A rear setback of 70 feet shall be indicated on the tentative map for the South Unit between the farming operation property line and south rows of residences.

Application 1:	<u>Riverstone Apartments <i>Special Use Permit</i></u>
Application 2:	<u>Riverstone Apartments <i>Variance</i> from lot density and all setbacks</u>
Application 3:	<u>Riverstone Apartments <i>Tentative Subdivision Map for Merger and Resubdivison</i></u>
Use Listing:	Multi-Family Development
Applicant:	Tom Ernst of Vertex Fund 3 LLC
Consultant:	Clayton Trapp of Phelps Engineering
Owner:	Churchill County – with sales agreement to Vertex Fund 3 LLC
Site:	2 parcels – 31.4 acres (total) APN 008-301-11 - no address APN 008-301-12 - 1955 Coleman Road
Designations:	Master Plan – Urbanizing // Zoning – R-3

History of Site:

These properties have been in County ownership for over 5 years. They were acquired for 2 reasons. First, they are at the best point of a new river crossing for a new north-south traffic corridor that has been planned for nearly 20 years – being the extension southward of Moody Lane, connecting to Allen Road or other streets into the City. Second, the problem of getting builders to provide adequate multi-family development caused the County to find ways to initiate such development on behalf of the community.

During these years, the County has been progressively taking steps to bring these 2 projects to fruition.

- Purchase of the properties
- Undertaking a recruitment process to entice a developer to undertake a project.
- Undertaking planning and funding efforts for the bridge and utility improvements.
- Extending the utility service area to the site and surrounding lands.
- Establishing a new zoning district that would support an apartment complex.
- Rezoning the property to the new R-3 zoning district.
- Working with the project applicant toward sale of the property and permitting of the project.

The applications now before the Planning Commission are the end stages of the apartments project, and a step toward the Moody Lane extension. After land use permits, the remaining steps will deal with implementation and construction.

Permit Applications

As noted above, there are 3 land use permits involved with this application. 2 of them result from an unconventional approach the developer has toward the projects.

- Special Use Permit County Code limits the location of large multi-family developments to either the R-3 zone, as applicable to this project; or incorporated within a Planned Unit Development. When allowed, County Code requires that all multi-family development be reviewed through a Special Use Permit.
 - o Conventional apartment complexes would not need additional permits. They would be built on a single large property under a single owner. For this project, the developer is using an unconventional approach what will (a) include a subdivision to place apartment buildings in the complex on their own lots; and (b) using a zero-lot-line development approach for those lots. The large remaining area will be the common area managed by a Homeowners Association (HOA) composed of all the building owners.

- Variance from lot density and all setbacks: Extensively developed jurisdictions normally have provisions to allow a zero-lot-line development approach. Churchill County does not have such a nuanced code (except through a Planned Unit Development). Thus, doing a zero-lot-line development needs a variance from normal setbacks and lot density (based on the small lot size). Note that such standards are met when considering the larger property.
- Tentative Subdivision Map The factor that causes the need for the Variance is that each apartment building will be on a separate lot using a zero-lot-line development approach. Creating the building lots is accomplished through a subdivision. The State subdivision laws specifically establish the Tentative Subdivision Map stage, and the Final Subdivision Map stage. After a Tentative Subdivision Map is approved, it is followed by a Final Subdivision Map. As a general rule, the requirement is that the final map “substantially complies” with the approved tentative map. The final map is also reviewed by the Planning Commission, who makes a recommendation to the BOCC. However, this “Final” stage is not subject to extensive noticing provisions (neighbors and newspaper). Normal public meeting noticing is provided. The “final” approval is to ensure that code requirements and conditions of approval have been met before recording the map.
 - **An important point** is that a Tentative Subdivision Map is a **PLAN**, and is not intended to be unchangeable or designed to construction detail. Some adjustments, shifting, and minor changes are allowed in the final designs.
 - Note that the **normal process for a land division review** is for the County to perform a detailed review of the map, make “redline” correction notes, and have the developer revise the map for the Planning Commission meeting. For this project, Staff has performed the “redline” review, however the applicant has not been able to make revisions due to the unexpected unavailability of their surveyor. Staff recommends that the tentative map be revised for conformance with County Code and requirements in the conditions of approval.
- Supplemental Materials: The submittal includes the normal materials for the permits, as well as the additional materials below:
 - Preliminary improvement plans - These plans are normally submitted between the tentative map and final map stages. However, the applicant has been working on them and provided them for informational purposes. They provide additional detail about the apartment plans.
 - Traffic Study – required for large projects.
 - Drainage Study – required for subdivisions and projects with extensive land coverage.
 - Geotechnical Report - required for projects building roads.

Summary of Project

The details of the project are found in the submittal materials. A summary of the primary elements are provided below.

- **Two properties:** The two adjacent properties total 31.4 acres. These two properties have lot lines and utility easements that are intended to go away. State law allows this through the Merger and Resubdivision provisions, without going through additional processes.
- **No Phasing Plan:** The project’s entire infrastructure will be implemented in one phase, and then the lots will be created. After that, the developer can build apartment buildings and common facility at their desired pace. Note that if the apartments and common facility are not constructed in a timely manner or are only partially built, the Special Use Permit could expire and need to be resubmitted.
- **Apartments** are proposed at the maximum density in the R-3 zone of 16 units per acre. The submittal plans for 444 units. There are 17 apartment buildings, mostly 3 stories in height, each proposed on its own lot using a zero-lot-line development approach. There is also a clubhouse on its own lot, and a rental office on its own lot, resulting in a total of 19 building lots and additional open space lots.

- **Multi-family development** is subject to specific requirements in the CCC 16.16.020.8(I).
 - The applicant proposes the maximum density in the R-3 zone of 16 units per acre, though the final number may have to be adjusted.
 - 20% of the site must be in landscaped open space. The submittal appears to meet this standard, though submittal materials use the wrong calculation in a table.
 - Open Space Amenities must also be provided and can be placed in the open space, as is proposed in the submittal. These include trails, picnic areas, childrens areas, clubhouse, etc. The open space landscaping and common areas are proposed to be maintained by the HOA.
 - Livability facilities such as a patio/balcony, laundry, and trash collection are proposed.
 - Adequate parking must be provided, and the submittal indicates at least 1.5 parking spaces per unit (666 spaces) will be provided in a non-assigned parking environment.
- **County River Takeout Park:** For a long time, there has been park plans to establish river floating facilities on the Carson River. The upstream “put-in” was obtained long ago near Sheckler Road, but the “take-out” has been difficult to make happen. One of the elements of the sales agreement was to implement a river takeout point at the future bridge location for Moody Lane. The submittal shows the conceptual plan for this facility, which will be located next to and under the Moody Bridge.

There has been discussion between the applicant and the County regarding specific facilities to be included in the park site. However, the submittal materials are somewhat vague. Staff recommends the following specific items for clear expectations of the constructed facility: (a) approximately 2/3 acre of land dedicated to the County that includes the park and bridge areas, (b) an all weather restroom building with 2 restroom spaces and connections to community sewer, water, and power services, (c) a paved parking area for approximately 20 spaces, with accessible spaces and security lighting included, (d) an ADA accessible pathway from the water line of the Carson River to the parking lot, and (f) slope stability treatment where needed. The park would be transferred to County ownership after construction.

- **Traffic and Access**
 - **Primary Access and Major Roads:** There has been extensive discussion with the applicant regarding road improvements. The project has performed a Traffic Study. It and the proposed road improvements can be found in the submittal. It recommends: (1) Construction of the Moody Lane segment south of the river extending from Coleman Road to near the bridge location. This road will also be used to access the interal loop road. (2) 3 auxiliary lanes for turning movements at the Moody Lane/Coleman Road intersection. These are located to place the extra needed road width along the property frontage. (3) A pedestrian bridge crossing over the Coleman Road canal to Regan Place.
 - **Minor Access:** The interior of the apartment complex will be served by a minor access loop road with two points of access on Moody Lane. In addition, there will be access easements for parking lot driveways throughout the project.
 - **Pedestrian Access:** Pedestrian facilities are proposed throughout the project, and on adjacent streets (including trails). None are proposed off-site.
- **Water and Sewer Service:** The project site is east of the Onda Verde subdivision, the nearest point of water and sewer service. The County’s water and sewer system mains in Verona Drive are about 1000’ from the project boundary, and the developer proposes to extend the system to the project site. Service mains will extend throughout the site, and will be extended north in Moody Lane for future extension across the river.

- **Stormwater:** The applicant has provided a drainage report for dealing with stormwater. The concept is to mainly use surface drainage, though subsurface pipes may sometimes be needed. This would include sheet flow, street gutters, landscape swales, and roadside ditches for routing water to detention basins placed along the north and south edges of the site. The applicant proposes to design and landscape them to contribute to the open space.

County Code Criteria Review:

Some land use permits have review criteria that are sometimes the same as, or similar to the criteria for other permits. The Riverstone Apartments have submitted 3 permits. To avoid duplicating text to review the same criterion more than once, the text for it may refer to the other criteria location.

Subdivision Criteria Review:

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

Refer to Special Use Permit Criterion 2, below, for the same standard

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

- 1. Conformity with the master plan.*** Refer to Special Use Permit Criterion 2, below, for the same standard.
- 2. Compatibility with existing adjacent properties and uses.*** Refer to Special Use Permit Criterion 1, below, for the same standard.
- 3. Protection of the public health, safety and general welfare.*** Refer to Special Use Permit Criterion 5, below, for the same standard.
- 4. That adequate public facilities and services are available to the development.*** Refer to Special Use Permit Criterion 3 & 4, below, for the same standards.

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.***

County Code establishes an exceptional situation, because it does not provide the nuances found in other more developed jurisdictions that allow for zero-lot-line development. Such development normally doesn't have setbacks or lot specific density. The applicant proposes to waive these standards for individual building lots in favor of meeting the standards for the project as a whole.

- 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.***

County Code does not provide the nuances found in other more developed jurisdictions that allow for zero-lot-line development. Consequently, the whole category of zero-lot-line development is not available like in other jurisdictions, which creates a peculiar difficulty for the development. The developer proposes to meet the standards for the project as a whole.

- 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.***

Since the project as a whole will meet the standards, approving the variance will have no noticeable difference compared to a more conventional apartment complex on one large parcel.

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

Since the project as a whole will meet the standards in the same way as a more conventional apartment complex on one large parcel, approving the variance will be consistent with the intent and purpose of the title.

Special Use Permit 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 proposed apartments are multi-family development. To the west is a rural residential area with lots in the 1-3 acre lot range, though several small lots along Coleman have usable areas well under 1 acre in size. Further west is the small lot Onda Verde subdivision. To the east is a 1 acre homesite, and some farming parcels. To the south is multi-family zoned land, with both County and City zoning of R-2, though land uses are large residential lots, farming parcels, and vacant land. To the north is the Carson River and a major irrigation canal, with mostly vacant or farming land beyond. To the NE is the River Park PUD that is planned for over 600 urban lots. The project includes substantial separation from existing homes on the east and west sides, including the width of Moody Lane; as well as from agricultural operations to the east. Also see Criterion 2, below, regarding Friction Zones. The project is also compatible with multi-family zones and future use to the south.

Additional traffic will be generated by the project, which could affect properties fronting Coleman Road. But Coleman is already a collector road with much traffic. Also see Criterion 4.

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 zoning district for the property is R-3 Multi-Family Development. ***Apartment is an allowed use*** for the zoning district in the development code's Use Table, and it must be reviewed through a Special Use Permit. There are several Master Plan policies related to multi-family development, and the County's housing crisis. The proposal supports those policies. Another 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.

See compatibility issues discussed under criterion 1, above. See criterion 5 regarding environmental impacts. In addition, the Public Services and Facilities **Chapter 9** extensively discuss requirements for major developments using community sewer and water services, which the project does. These are addressed in depth in the plans, and discussed under Criterion 4. The project conforms to the Master Plan.

The proposed development must conform with the **County Development Code**. Conditions of approval will address specific issues, including:

- **Building Setbacks and Building Height:** A variance application is submitted regarding building setbacks within the zero-lot-line lots. The project as a whole will meet setbacks. Also see Friction Zone setbacks below. The Code's height limit is 35 feet, and the application indicates that most apartment buildings will be 3 stories, with a planned height of 10' per story.
- **Easements:** There are existing property lines that will be eliminated, and existing public utility easements on those property lines. Those that are to be eliminated/abandoned need to be shown and clearly labeled on the tentative map. New utility easements are planned throughout the project, as required. Irrigation drains run along the north property line, and along the south side of Coleman Road. The applicant and County have coordinated with the Bureau of Reclamation and TCID regarding the facilities. No alterations are proposed for either facility.
- **Lot size, width, and density:** The lots size and width requirements for the R-3 zone are met. A variance application is submitted regarding lot density to allow the zero-lot-line lots. The project as a whole will meet density standards.
- **Access, sewer, and water facilities:** See comments under Criterion 3 & 4, below, regarding infrastructure. The project will be served by the County's community sewer and water systems, and all units will have access to a public or private road or driveway, including through HOA common areas.
- **Water rights and community development fees:** The County has 4 community development fees: roads, parks, schools, and water dedication. The road fee is required at the time of Final Subdivision Map. The park and school fees are required at the time of residential construction – they will not be required with the land division. Projects connecting to the community water system do not have to meet surface water dedication requirements but must meet the groundwater dedication requirements instead.
- **Friction Zones:** The County Code provides for special requirements and buffers between different land uses, which are called Friction Zones. The code provides for a landscaped buffer between single family and multi-family development. The project has a sizable setback from the homes on the west and east sides, with apartment buildings well over 150' from the property line and the intervening space being landscaped. In addition, the Code requires that residential uses adjacent to agricultural operations provide a plan to protect the agricultural operation. The project proposes to setback apartment buildings from the farm property to the east not less than 50' at the closest. The space will be occupied by open space landscaping, a drainage path, and a recreation trail.
- **Multi-Family Development Standards:** CCC 16.16.020.8.I establishes specific standards for multi-family development. While the project seems to meet these requirements, some items are unclear and Staff recommends the project materials be updated to document conformance with standards along with the Final Map submittal.
 - The maximum density in the R-3 zone is 16 units per acre, excluding roads. The submittal proposes 444 units, though a calculation how this count was determined was not provided. A maximum of 444 units should be authorized, and that number may need to be adjusted to meet calculations limits in County Code.
 - 20% of the site must be in landscaped open space. Visually, the submittal appears to meet this standard, though documentation table provided in the submittal materials appears to use the wrong calculation. Stormwater basins may be counted if designed to be landscaped rather than utilitarian, and the applicant proposes such. The canal easement on the north side of the property may not count as open space since TCID manages it for utilitarian purposes.

- Open Space Amenities must also be provided at a roughly 1/50 units rate, for a total of 9. These can be placed in the open space and are proposed in the submittal, include trails, picnic areas, childrens areas, clubhouse, etc. The open space landscaping and common areas are proposed to be maintained by the HOA.
 - Livability facilities are required, such as a patio/balcony, laundry, and trash collection. These are proposed in the submittal.
 - Adequate parking must be provided in a usable manner, and must meet parking code requirements for at least 1.5 parking spaces per unit (666 spaces). The submittal indicates these will be provided in an open, non-assigned parking environment, but the number needs to be confirmed.
- **Landscaping, Lighting, and Signage:** In addition to Friction Zone buffer landscaping, and multi-family development landscaping, the landscaping code require parking lot trees. The proposed project is extensively landscaped and meets all landscaping requirements. A parking lot light brochure is provided in the submittal that meets the County Dark Skies standard. Building lighting will also need to meet the lighting code. The application provides a proposed sign for the project entrance that is embedded into a major landscaping feature. The sign itself is about 10' long X 3' high, or about 30 square feet. The sign code allows residential developments to have 1 or 2 signs totaling up to 40 square feet.

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

Water and Sewer Service: The project site is east of the existing County water and sewer systems. While staff and the County have had extensive conversations regarding water and sewer services, the application only provides limited indications of utility routing. Staff's understanding of the current plans for water and sewer service routing is provided below:

- The off-site route will run directly eastward from the Onda Verde water and sewer system mains in Verona Drive. Service mains will be located in an existing 50' utility easement that reaches the project's west property line roughly 250' north of Coleman Road. That easement crosses Peaceful Way and connects to a vacant lot in the Onda Verde subdivision. That lot is being acquired by the developer to complete the off-site route.
- In the SW area of the site (near the leasing office), a lift station will be installed to gather sewage waste and use a force main to send it to Verona Drive.
- Once on-site, the mains will be routed in two directions. One will run around the south side of the leasing office building to a driveway and cul-de-sac, then follow those to the Moody Lane right-of-way. The other will run north along the west property line to the Moody Lane right-of-way.
- Once in the road right-of-way, the route will follow Moody Lane, the interior loop road, and internal driveways.
- An extension of utility lines will be constructed northward in Moody Lane, to the point where individual services to the river takeout site will depart the right-of-way and extended to the restroom.
- Sewer and water infrastructure will be constructed or bonded before the Final Map is approved, and offered for dedication to the County. Facilities within the project area will be accepted with the Final Map, those that are off-site will be accepted through other processes.

Staff recommends conditions to ensure that the County is not responsible for unforeseen improvements to serve the development. For example, it is possible that the existing mains in Verona Drive will have to be upgraded, or the Onda Verde lift station will have to be upgraded.

The County has issued an ***Intent to Serve*** letter for both sewer and water service, as required by NRS. This is contingent upon adequate capacity being available at the time project construction moves forward with a Final map. At that time, a ***Will Serve*** letter will be issued.

Stormwater: The applicant has provided a drainage report for dealing with stormwater. The concept is to use surface drainage rather than subsurface pipes to reduce infrastructure costs and maintenance difficulties. This would include sheet flow, street gutters, landscape swales, and roadside ditches for routing water to drainage pathways and detention basins, often located in open space areas. The large basins are along the north edge. Smaller narrow basins are found along Coleman Road, and drainage flow paths are found along the east edge and through the center of the site. Normally detention ponds are utilitarian and unsightly, so they normally cannot be counted as open space unless landscaped like the rest of the property. The major stormwater control elements are protected for long-term with easements.

School & Emergency Services: The Sheriff's Office and Fire Department have been involved in meetings on the project. Their comments have been incorporated into the project design. The Fire Department has particular needs to address during construction, including ladder truck access and adjustments to fire hydrant locations. Staff recommends that any changes recommended by the Fire Marshall be implemented. The Churchill County School District has provided comments on the project. The district does not request a school site as allowed under NRS, but does request the installation of school bus stop turnouts in two locations. These were shown on previous versions of the submittal, but do not seem to be on the current version. Staff recommends that the pull outs be illustrated on the tentative map and other materials.

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

The County and developer have had many conversations about roads and traffic. The road improvements can be found in the submittals, but plans for road dedication, acceptance by the County, and maintenance are vague. Staff recommends clear labeling of the plans on the Tentative Map. The applicant has performed a Traffic Study, and it includes 2 main recommendations that are illustrated in current plans: construction of a segment of Moody Lane, and turning lane improvements on Coleman Road at the Moody Lane intersection. A third recommendation suggests a pedestrian bridge to Regan Place (the City street). This recommendation is unlikely to take place until development happens south of the canal.

- Existing Road - The project fronts on Coleman Road, which lies on the south side of the project. It is a paved County-maintained road within the north edge of the federal irrigation easement. That easement is supplemented by an additional road easement width established in previous land divisions. The road easement fronting Coleman Road will be offered for dedication, and the County plans to accept it.
- The project's primary road will be a newly constructed segment of Moody Lane reaching from Coleman Road northward to near the Carson River. Moody Lane will use a special paved road standard that includes an 80' right-of-way that has a wider than normal paved width, including a center turn lane, and does not have curb/gutter/sidewalk. The paved segment will extend north to just past the 2nd intersection with the internal loop road. From there it will change to a special gravel road standard that has the same width and extends north to approximately to future bridge abutment. The road will be offered for dedication to the County, and the County will accept the road for future maintenance.
- Coleman Road/Moody Lane intersection improvements are proposed by adding 3 turning movement lanes, including acceleration and deceleration lanes, and are illustrated in the Traffic Study. Additional

road easements may be needed. Easements and improvements will be offered for dedication, and the County will accept them.

- The project proposes a minor loop road through the project that accesses onto Moody Lane at 2 points. This will be built to a 60' County urban standard (with curb/gutter/sidewalk). The road easement and improvements will be offered for dedication, but the County will not accept it for County maintenance. The HOA will maintain the road.
- The project's private driveways use a road and utility easement with the driveway built to a special 24' paved width. The driveways provide access to and through the project parking areas, which are arrayed along the driveways. CC&Rs and HOA will provide a blanket access easement to allow access across common areas, between driveways, parking lots, and individual building lots.

Pedestrian Access: Pedestrian facilities are proposed within the PUD project, on internal streets, sidewalks, and trails. But none are proposed off-site. A third recommendation in the traffic study suggests a pedestrian bridge to Regan Place (the City street), but doing so is unlikely to be possible until development happens south of the canal.

Dedication of Road, Utility, and Other Easements and Improvements. As required by NRS 278.378, offers to grant easements, and dedicate land or improvements to the County must be accepted or rejected along with approval of Final Subdivision Maps on the BOCC approval certificate.

- The County normally accepts all easements shown on the map.
- Staff recommends that offers of dedication for road land and improvements be accepted or rejected as described above.
- Staff recommends the on-site sewer and water system improvements constructed to serve the project be accepted for dedication. Many of these will be within the roads. Those that are off-site improvements will need to be offered/accepted by a separate document.
- Staff recommends that any abandonments of utility easements take place on the final map.

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.*

Comments have been raised (especially in social media) that the tenants of the multi-family areas will be of unsavory character (drug users and criminals). This likely stems from the impression of other apartments in the community or elsewhere that are of lower quality and rental price. The proposed apartments will be of higher quality and rental price than most other local apartments. The complex will be landscaped far better than other local apartment complexes, will have quality amenities for the tenants, and will be maintained by an association. The long term maintenance will be cared for far more consistently than if individuals were responsible. Friction zone standards and the significant separation of the apartments from properties to the east will reduce any disturbances.

STAFF RECOMMENDATION:

APPROVAL

NOTE that the Planning Commission is making the decision on the Special Use Permit for the apartments, and the decision on Variance from lot density and setbacks. The Planning Commission is making a recommendation to the Board for the Tentative Subdivision Map.

SPECIAL USE PERMIT 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 Special Use Permit criteria found in CCC 16.08.080(H) on APNs 008-301-11 & -12.

[For APPROVAL - Staff Report provides adequate findings.]

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

SPECIAL USE PERMIT 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 for Vertex Fund LLC to authorize a Multi-Family Development on APNs 008-301-11 & -12.

For APPROVAL the motion should ADD:

This approval is subject to conditions, as listed in the Staff Report.

VARIANCE 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 16.08.090(F) regarding a Variance on APNs 008-301-11 & -12.

[For APPROVAL - Staff Report provides adequate findings.]

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

VARIANCE 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 request for Variance from lot density and all setbacks found in CCC 16.16.020.1 on APNs 008-301-11 & -12.

For APPROVAL the motion should ADD:

This approval is subject to conditions, as listed in the Staff Report.

TENTATIVE SUBDIVISION MAP 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 16.04.040(C) and CCC 16.04.050(A) regarding an application for a Tentative Subdivision Map on APNs 008-301-11 & -12..

[For APPROVAL - Staff Report provides adequate findings.]

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

TENTATIVE SUBDIVISION MAP 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 recommend that the Board of County Commissioners [**APPROVE // DENY**] the Tentative Subdivision Map for the Riverstone Apartments on APNs 008-301-11 & -12.
[For APPROVAL 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) The maximum number of apartment units is limited to 444 units. The actual number of units shall be adjusted to meet calculations limits in County Code.
- 2) The Tentative Subdivision Map and other materials **shall be updated within 60 days** to add details for compliance with Churchill County Code, and reflect requirements of these conditions of approval to the satisfaction of County Department Heads. Disputes shall be resolved by recommendation of the Planning Commission and approval by the BOCC. Failure to update materials in a timely manner will require reconsideration by recommendation of the Planning Commission and approval by the BOCC.
- 3) The Final Subdivision Maps shall be in substantial conformance with the approved Tentative Subdivision Map. A submittal not in substantial conformance must be approved as a modified tentative map by recommendation of the Planning Commission and approval by the BOCC.
- 4) The plan for the handling of each road shall be clearly indicated in the tentative map, as described in the Staff Report or determined at the hearing, to clearly state what is to be built and what is to be offered to the County. The proposed easement/right-of-way width, construction standard, and end of proposed road length (where applicable) for each road shall be clearly labeled. All roads shall be shown to be offered for dedication, and drawn based on whether the County plans to accept the offer.
- 5) Additional road improvements shall be provided as indicated below. The tentative map and/or handbook shall identify and label such measures.
 - a) Privately maintained streets shall be signed to indicate they are privately maintained.
 - b) Street lighting shall be provided for the paved portion of Moody Lane meeting County standards. Street lighting on other streets shall be determined by the developer. Lighting shall be installed with the associated road improvements.
 - c) Pedestrian safety improvements shall be installed to County standards, and as directed by the Road Supervisor.
 - d) Improvements required by the NV Dept. of Transportation shall be installed.
- 6) The river takeout park:
 - a) Shall be constructed with the facilities listed in the Staff Report.
 - b) Shall be offered for dedication on the tentative map, and the County plans to accept the park with approval of the Final Map.
 - c) Park facilities shall be constructed at the developer's expense and constructed with other subdivision infrastructure.
 - d) Acceptance of the park by the County will be contingent on a 1-year guarantee after construction.
- 7) CC&Rs shall include the following items:
 - a) The County's river takeout site shall be included within the boundaries of the Homeowners Association (HOA); but the County shall not be assessed fees, and the HOA shall not be responsible for site maintenance once the County takes on maintenance of the site.

- b) All street lighting and common area lighting shall have power and fixture maintenance costs paid by the HOA.
 - c) All non-park landscaping shall be maintained by the HOA.
 - d) Stormwater basins and drainage pathways shall be maintained by the HOA.
 - e) The interior loop road and all private driveways shall be maintained by the HOA.
- 8) The tentative map's statement of CC&Rs shall summarize the use of the HOA and maintenance responsibilities.
- 9) The tentative map shall include a diagram of planned sewer and water main routing, both on-site and off-site, with existing main sizes and expected main sizes. Labels shall be included regarding plans for the dedication of improvements.
- 10) Off-site and on-site sewer and water infrastructure shall be designed and constructed to County standards. In addition:
- a) Existing water and sewer lines lying outside the project that need to be upgraded to serve the project shall be completed at the developer's expense, as determined necessary by the Public Works Director.
 - b) Any sewer lift station upgrades needed to serve the project shall be completed at the developer's expense, as determined necessary by the Public Works Director.
 - c) Any additional water main segments needed to meet looping requirements shall be installed at the developer's expense, as determined necessary by the Public Works Director.
 - d) County sewer and water infrastructure shall be extended to the point of departure for the river takeout site, and individual service shall be extended to the takeout site.
- 11) Changes to the project materials shall be made for compliance with Churchill County Code, including but not limited to:
- a) Documentation of compliance with the Multi-Family Development standards in CCC 16.16.020.8(I)
 - b) Documentation of total required parking and ADA parking spaces.
 - c) Documentation of sign area.
 - d) Water dedication requirements shall be met before Final Map submittal.
- 12) Tentative map shall be modified to reflect any changes required by the County Surveyor, including but not limited to the following:
- a) Changes to clearly illustrate/document proposed abandonments.
- 13) All open spaces must be landscaped in substantial conformance with the approach provided in the submittal materials.
- 14) The 2 school bus turnouts requested by the Churchill County School District, and currently shown on submittal materials, shall be installed with construction of the interior loop road.
- 15) Any changes in layout or construct recommended by the Fire Marshall shall be implemented.

Consent Agenda:

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

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

RECOMMENDED MOTION

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



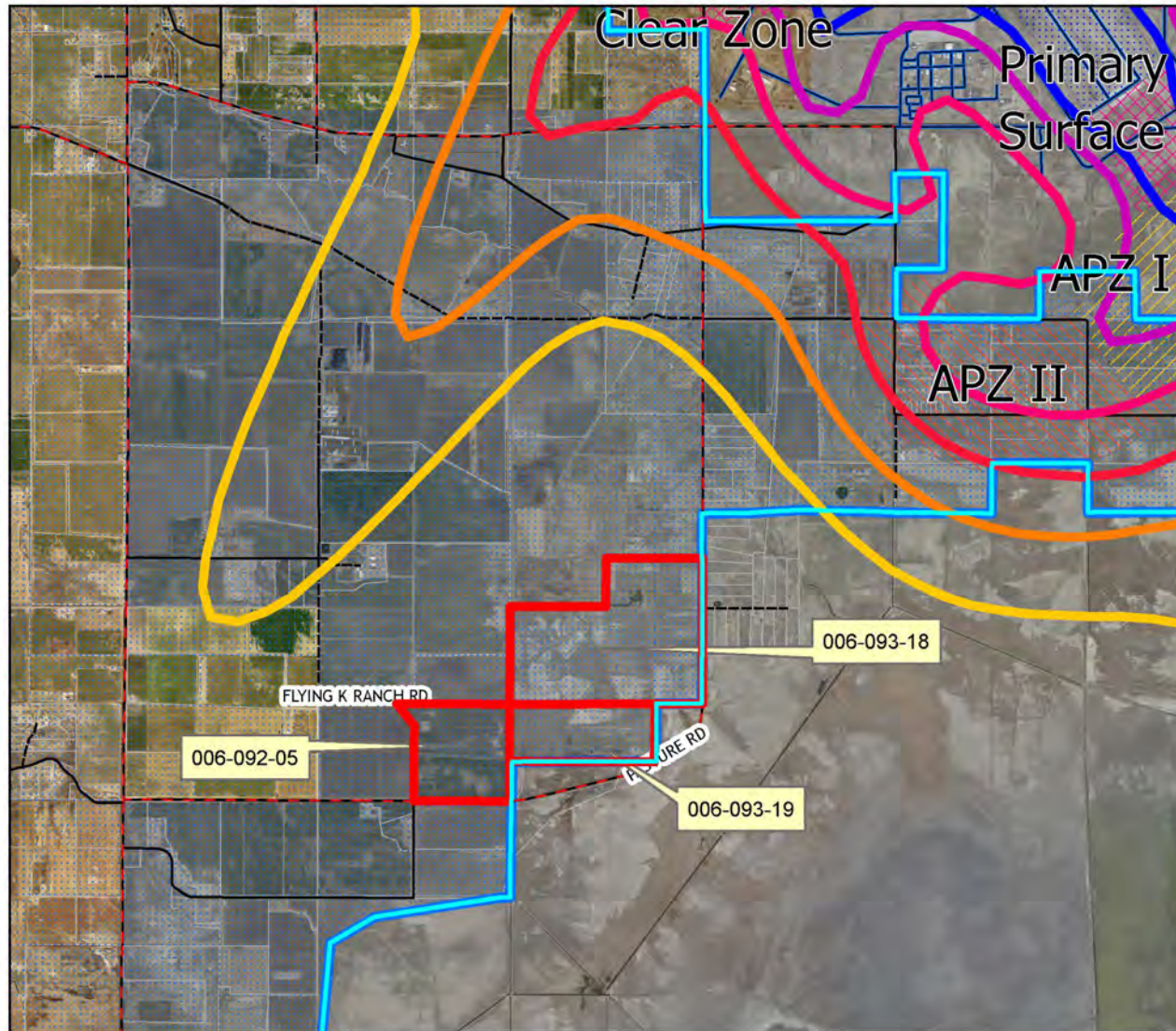
CHURCHILL COUNTY PLANNING COMMISSION HEARING

December 14, 2022

Omaha Track Amendment/Reexamination/Revocation, 1006 Nevada St
APN 009-251-74, -86, -88



C & A Rentals LLC, Sending Site Application, 9125 Flying K Ranch Road, 8500 & 9170 Pasture Road



**APNs 006-092-05
006-093-18 and
006-093-19
C and A Rentals
LLC Property**



Legend

—	60 dB
—	65 dB
—	70 dB
—	75 dB
—	80 dB
—	85 dB

Accident Potential Zones

ZONE	
APZ I	▨
APZ II	▨
Clear Zone	▨
Primary Surface	▨

1,800 900 0 1,800 3,600 5,400 7,200
Feet

Map Prepared by: adm
October 25, 2022
Churchill County Planning Department

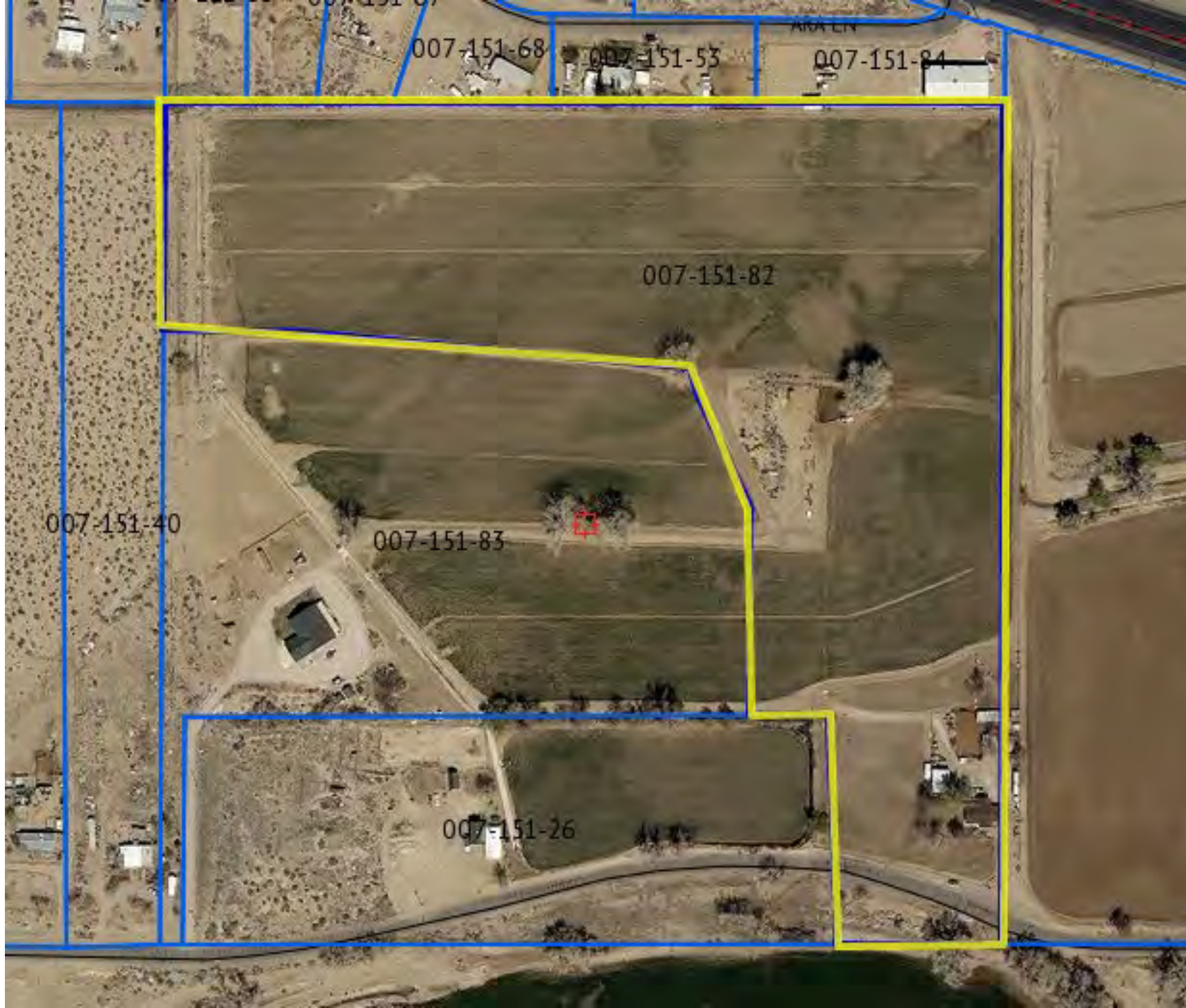


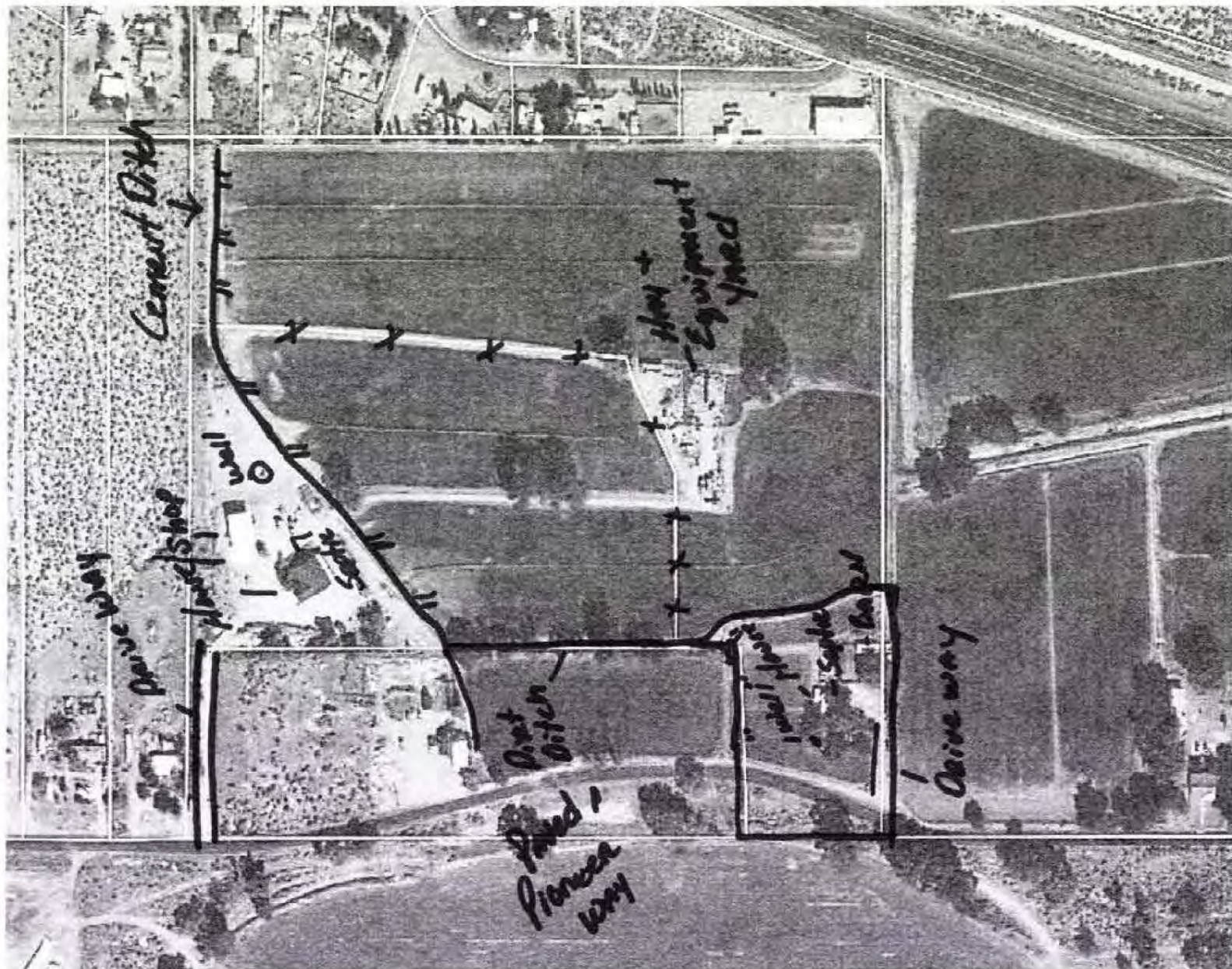
This map is intended to depict approximate boundaries and does not represent a survey. For accurate boundaries and acreages a survey by a licensed surveyor is needed. No liability is assumed by Churchill County concerning the accuracy of the data delineated herein. Use of this map for other than illustrative purposes is not recommended, and Churchill County expressly disclaims any liability for use other than for illustrative purposes.



Corbett, Variance Application, 8750 Pioneer Way, APN 007-151-82

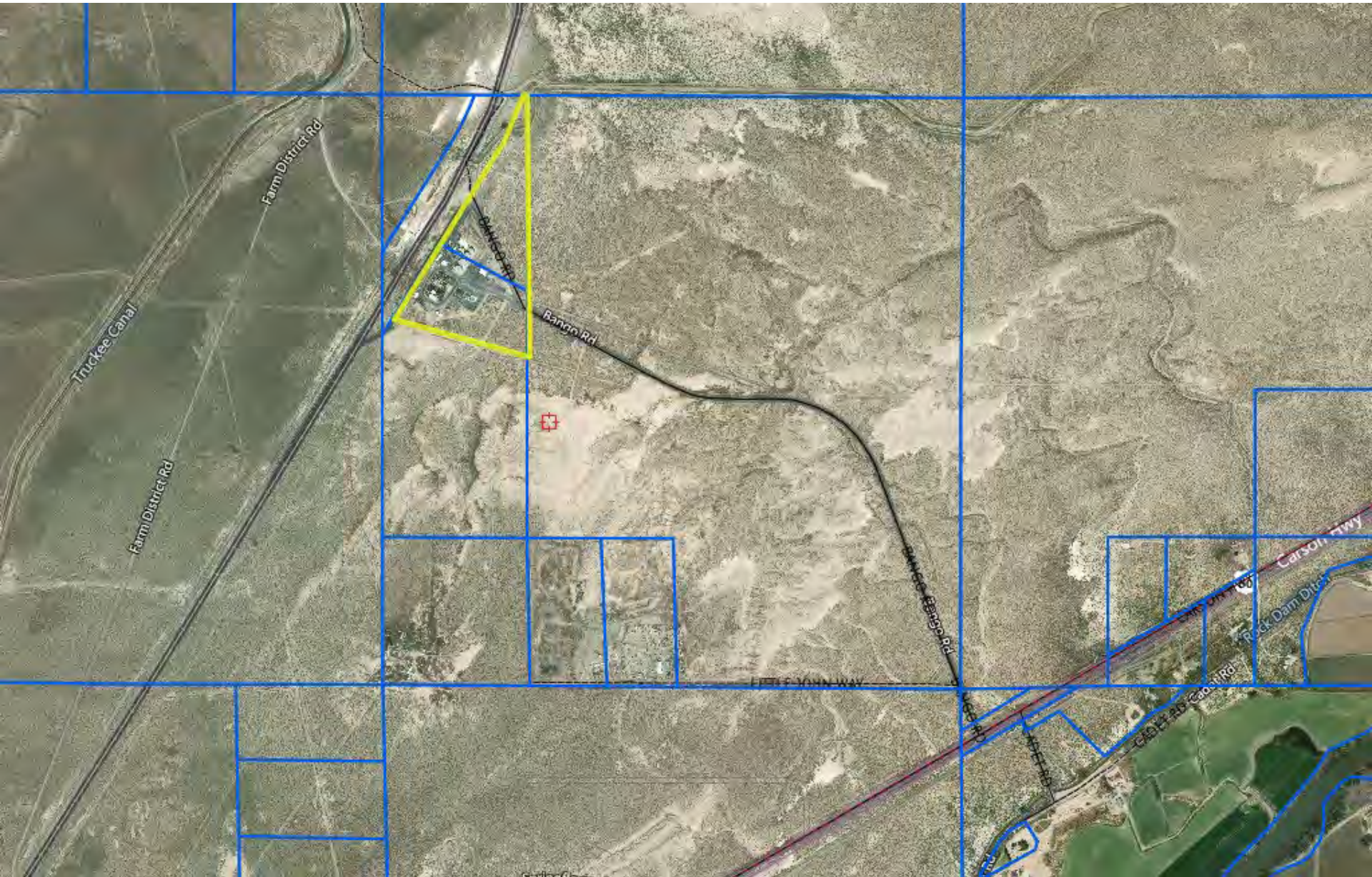






This map shows with VARIANCE

Safety-Kleen Systems, SUP Application, 22211 Bango Rd, APN 007-071-80 & -81





007-071-81

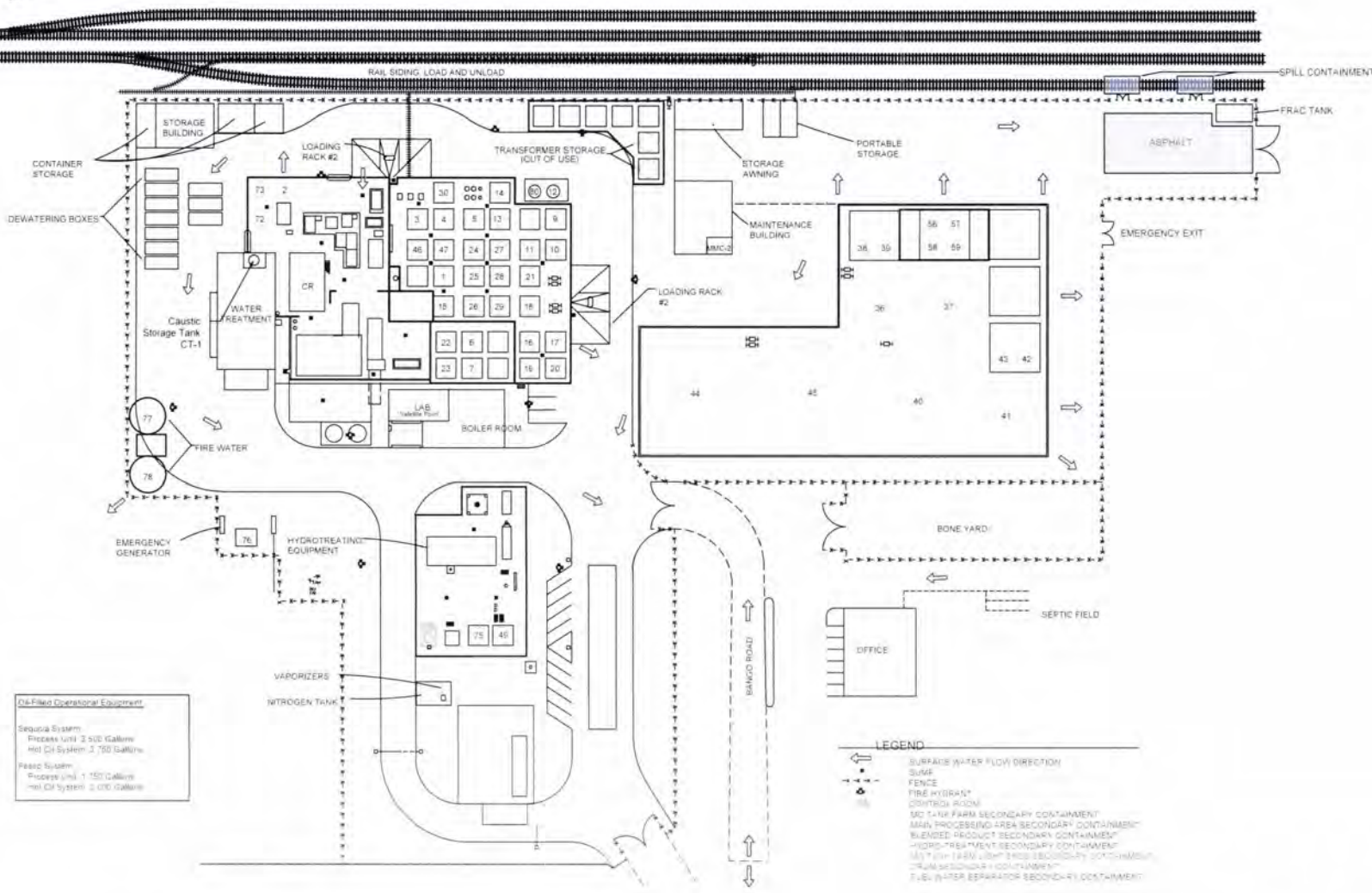
007-071-80

007-071-77

007-071-7

BANCO RD

BAN



On-File Operational Equipment

Seismic System
Process Unit 2, 500 Gallons
Hot Oil System 3, 750 Gallons

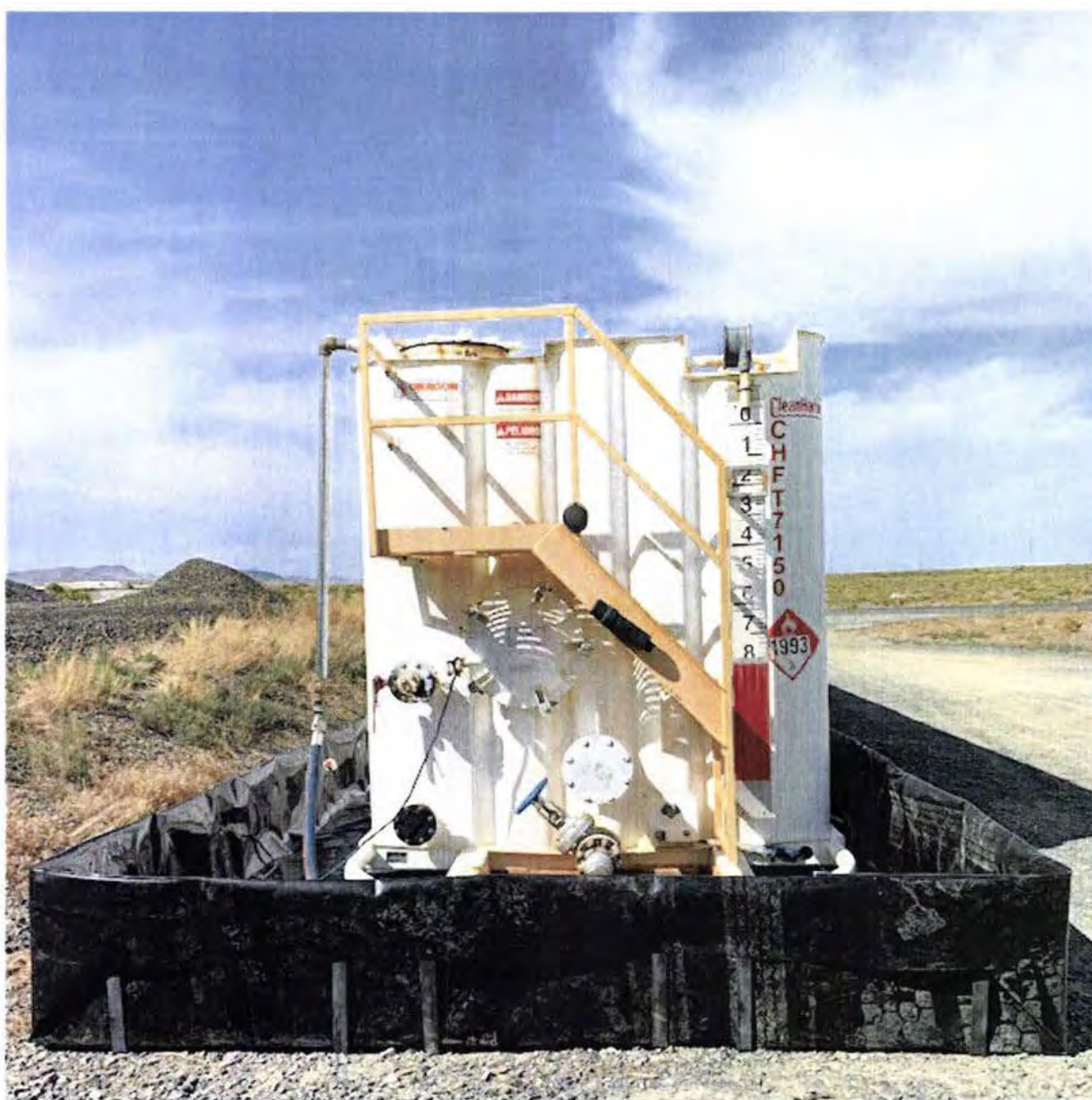
Reactor System
Process Unit 1, 750 Gallons
Hot Oil System 2, 070 Gallons

- LEGEND**
- SURFACE WATER FLOW DIRECTION
 - FENCE
 - FIBRE HYDRANT
 - CONTROL ROOM
 - MC TANK FARM SECONDARY CONTAINMENT
 - MAIN PROCESSING AREA SECONDARY CONTAINMENT
 - BLENDING PRODUCT SECONDARY CONTAINMENT
 - HYDROTREATMENT SECONDARY CONTAINMENT
 - MC TANK FARM 100% SHOP SECONDARY CONTAINMENT
 - CRAM SECONDARY CONTAINMENT
 - F&B WATER SEPARATOR SECONDARY CONTAINMENT

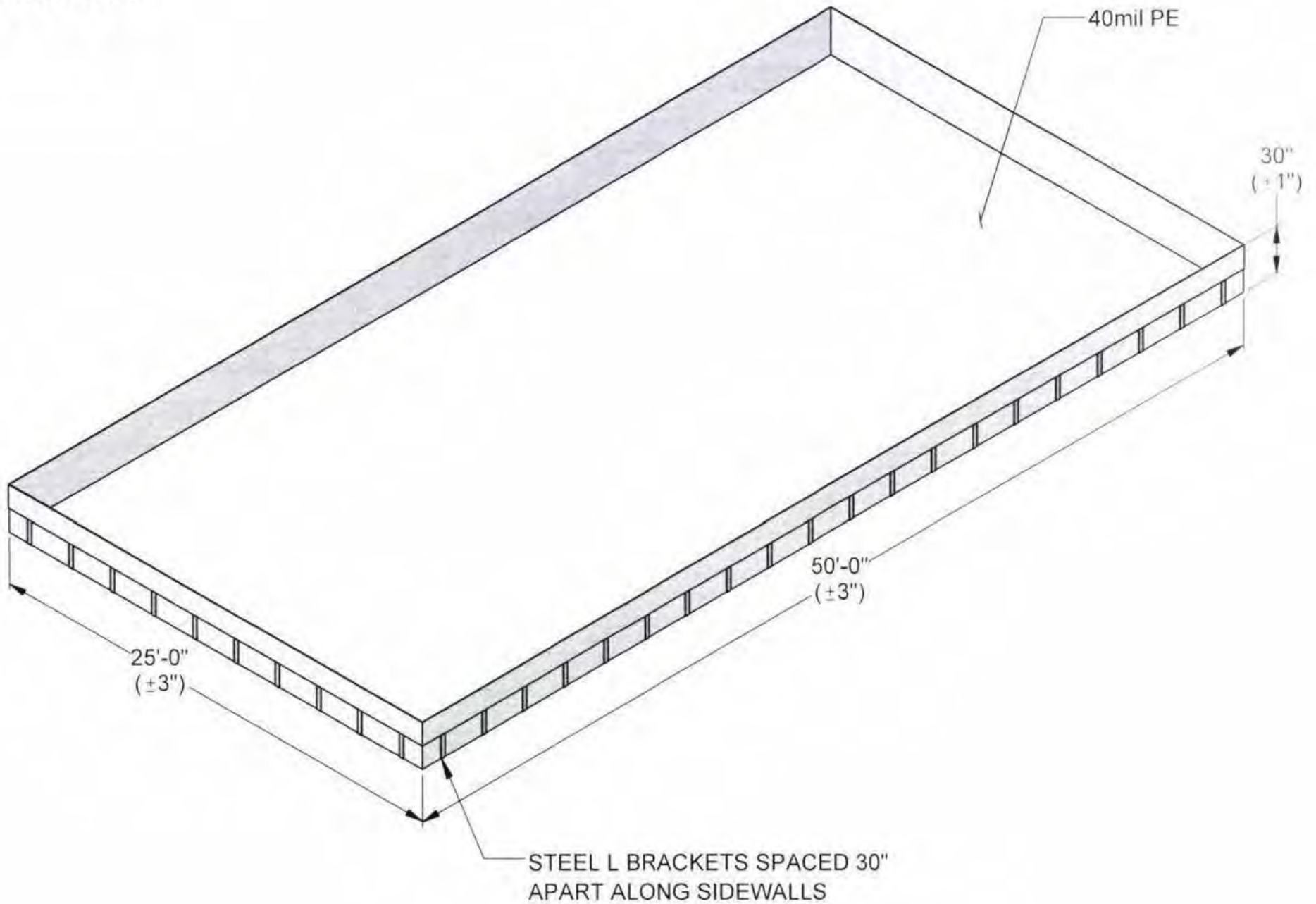
REVISIONS	NO.	DESCRIPTION	BY	DATE
	1	PROJECT NAME - FIBRE HYDRANT	BB	10/1/2008
	2			
	3			
	4			
		REFERENCE	DESIGNED	RB
			DRAWN	TAD
			CHECKED	
JOB NO.		4040.2200089.0000		

FIGURE 2

SAFETY KLEEN
FIBREGLASS FACILITY
5551 S. FLANKED CIRCLE
PALLON, NEVADA 8



SK Fallon – Example tank and containment berm for NMP Storage. See Containment Berm Spec Sheet for actual proposed size of berm, which will be larger. See site map for proposed location of tank and berm.

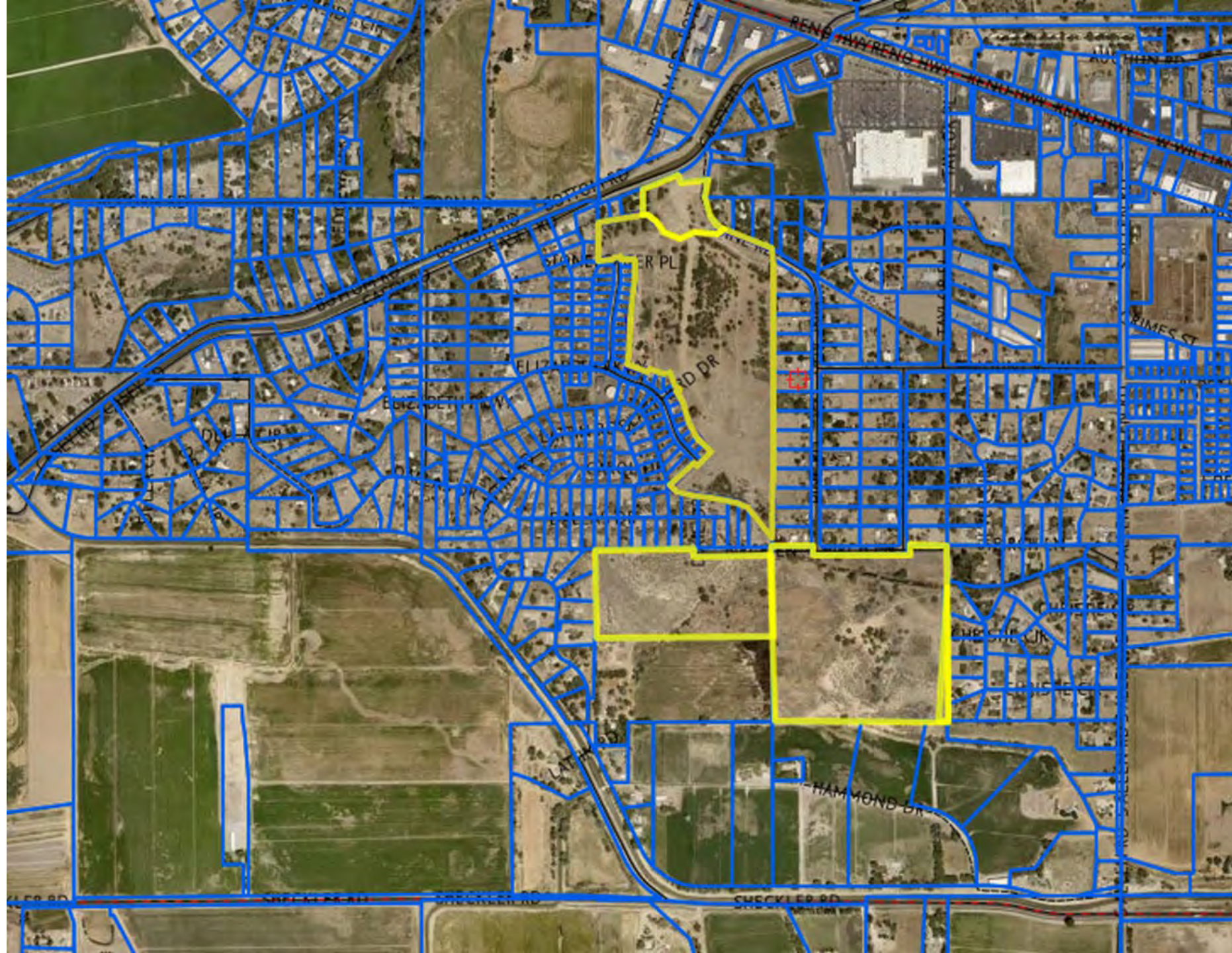


Nev Dev LLC

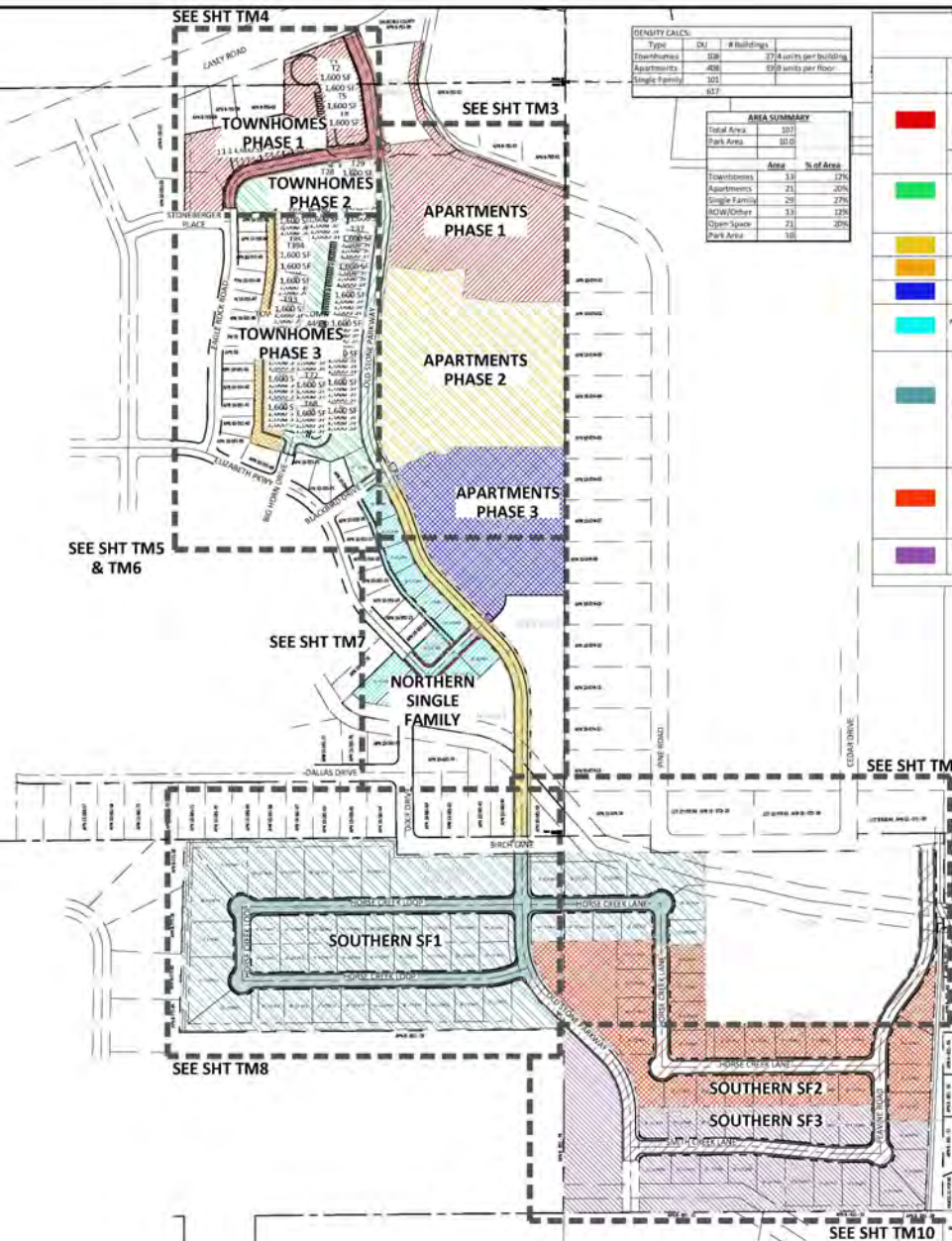
Old Stone Ranch

- 008-792-11
- 008-792-95
- 008-831-77
- 008-831-85
- 008-831-86





Nev Dev LLC--Old Stone Ranch, APNs 008-792-11, 008-792-95, 008-831-77, 008-831-85, and 008-831-86



DENSITY CASE		
Type	DU	# Buildings
Townhomes	108	274 units per building
Apartments	406	699 units per floor
Single Family	101	
	615	

AREA SUMMARY		
	Area	% of Area
Total Area	107	
Park Area	10.0	
Townhomes	3.9	3.7%
Apartments	21	20%
Single Family	28	27%
ROW/Other	13	12%
Open Space	21	20%
Park Area	10	10%

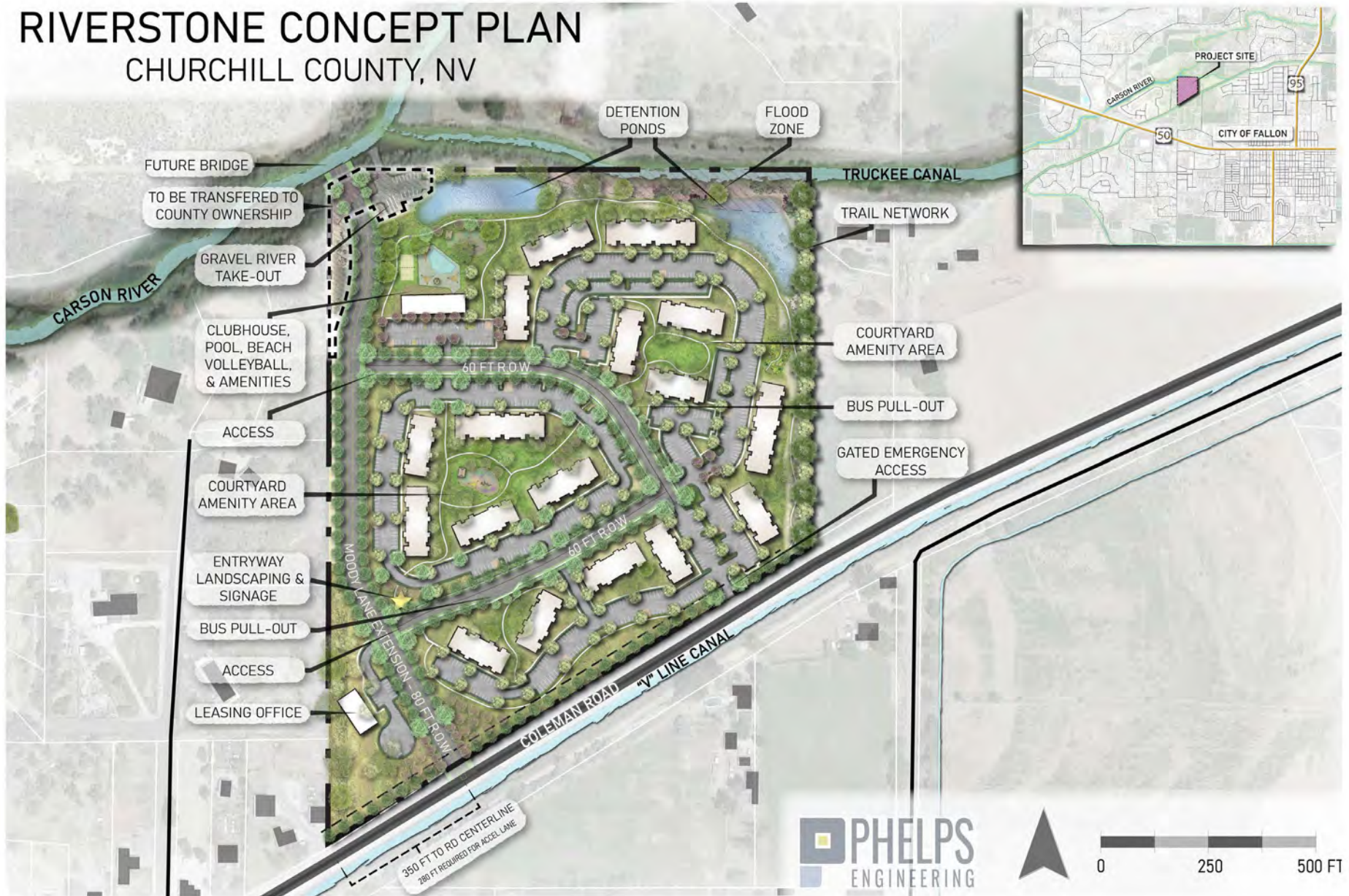
INFRASTRUCTURE PHASING						
	INCLUDED UNITS	ESTIMATED LOTS/LOTS	% OF UNITS	ONSET ROAD IMPROVEMENTS (NO BIDDING/PHASE IN TO BEST CASE)	OFFSITE ROAD IMPROVEMENTS	PARK TIMING (SEE PARK PHASING)
	PHASE 1 APARTMENTS	150	24%	EAGLE ROCK EXTENSION TO OLD STONE PKWY AND OLD STONE PKWY FROM CASEY TO SOUTH SIDE OF INTERSECTION WITH EAGLE ROCK	CASEY ROAD IMPROVEMENTS: WHEN CASEY IS NECESSARY TO PROVIDE LEFT TURN FOR TRAFFIC STUDY	
	PHASE 1 TOWNHOMES	20	3%			
	PHASE 2 TOWNHOMES	52	8%	CONNECTION TOWNHOMES SECONDARY ACCESS TO BIG HORN OLD STONE PKWY FROM EAGLE ROCK TO BLACKBIRD		
	PHASE 2 APARTMENTS	150	24%	OLD STONE PKWY FROM EAGLE ROCK TO BIRCH	BIRCH/ALLEN INTERSECTION IMPROVEMENTS PER TRAFFIC STUDY	PHASES 1 AND 2*
	PHASE 2 TOWNHOMES	36	6%			
	PHASE 3 APARTMENTS	108	18%			PHASE 2 & 3*
	NORTHERN SINGLE FAMILY	11	2%	CONNECT ELIZABETH TO OLD STONE PKWY BLACKBIRD CONNECTION ALLEY		
	SOUTHERN SF 1	66	7%	CONNECT OLD STONE PKWY (SOUTH) TO BIRCH CONNECT OLD STONE PKWY FROM BIRCH TO SOUTH SIDE OF INTERSECTION W/ PEAYINE ROAD CONSTRUCT HORSE CREEK LOOP CONSTRUCT HORSE CREEK LANE (TO END OF PHASE)	BIRCH/ALLEN INTERSECTION IMPROVEMENTS PER TRAFFIC STUDY	PHASE 1*
	SOUTHERN SF 2	23	4%	CONNECT PEAYINE ROAD TO BIRCH COMPLETE HORSE CREEK LANE CONSTRUCT CLEAR CREEK LANE CONSTRUCT PEAYINE ROAD (TO END OF PHASE)		PHASE 2*
	SOUTHERN SF 3	10	3%	COMPLETE OLD STONE PKWY COMPLETE PEAYINE ROAD COMPLETE SMOOTH CREEK LANE		PHASE 3*
		617	100%			

* PAID TIMING			WHEN REQUIRED? (WHICHEVER COMES FIRST)
PHASE	IMPROVEMENTS		
1.	OVERALL GRADING, PAVING OF PAVEMENT, CURB, DRAINAGE OF COUNTY WELLS	WITH THE FIRST PHASE OF THE SOUTHERN UNIT	PRIOR TO THE C & D OF ANY OF THE OVERALL PHASES
2.	PARKING AREA (WITH LIGHTING), RESTROOMS, 50% OF FLAT FIELDS	PRIOR TO THE LAST C OF 0 WITHIN SOUTHERN 322	
3.	REPAIRING, ADJUSTING AND IMPROVEMENTS	PRIOR TO THE LAST C&D WITHIN SOUTHERN 323	PRIOR TO THE C & D OF 90% OF THE OVERALL PHASE UNITS

PURVISOR	DATE	B'D	CAD
DESCRIPTION			
NCS			
REVISIONS			
PREPARED FOR NEV DEV LLC 3305 HWY 50A FENLEY, NV 89408 TEL 702-645-0001 Fax 702-645-0001 www.nevdev.com NORTH ARROW SCALE			
			
12/05/22			
 WESTEX Consulting Engineers 2291 S. Rock Blvd., Ste. 112 Reno, NV 89502 OLD STONE RANCH PUD TENTATIVE MERGER & RESUBDIVISION MAP TM2 OVERALL SHEET INDEX/PHASING PLAN CHURCH & COUNTY WESTER PROJECT # 210000-S NEVADA			
PRELIMINARY NOT FOR CONSTRUCTION TM2 SHEET 2 OF 10			

RIVERSTONE CONCEPT PLAN

CHURCHILL COUNTY, NV





**MERGER & RESUBDIVISION TENTATIVE MAP
FOR
RIVERSTONE APARTMENTS**
APNs 008-301-11 & 008-301-12

BASIS OF BEARINGS

BEARINGS ARE BASED UPON THE NEVADA STATE PLANE COORDINATE SYSTEM OF 1983, WEST ZONE, ADJUSTED TO GROUND VALUES, AS ESTABLISHED BY REAL TIME KINEMATIC (RTK) GPS METHODS, USING A 9944 TO GROUND SCALE FACTOR OF 1.000298944708244.
BEARINGS ARE EXPRESSED IN DEGREES, MINUTES & SECONDS - DISTANCES ARE EXPRESSED IN FEET & DECIMAL PARTS THEREOF - CURVES ARE EXPRESSED IN RADIUS (R) CENTRAL ANGLE (A) AND ARC LENGTH (L) - COORDINATES ARE EXPRESSED IN NORTHING (N) & EASTING (E)

LINE/SYMBOL LEGEND:

- CENTERLINE (EXISTING)
- CENTERLINE (PROPOSED)
- EASEMENT LINE (EXISTING)
- EASEMENT LINE (PROPOSED)
- FLOODWAY
- FLOODPLAIN
- MAP LIMITS
- LOT LINE (EXISTING)
- LOT LINE (PROPOSED)
- RIGHT-OF-WAY LINE (EXISTING)
- RIGHT-OF-WAY LINE (PROPOSED)

KEY MAP



PROJECT CONTACTS:

OWNER	DEVELOPER	ENGINEER	SURVEYOR
CHURCHILL COUNTY 155 N. TAYLOR STREET SUITE 153 FALLON, NV 89406 (775) 423-2266	COLEMAN VERTEX, LLC 280 E. 11TH AVE BROOMFIELD, 80020 MATT HURLEY (775) 544-1820	PHELPS ENGINEERING SERVICES, LLC 10651 PROFESSIONAL CIRCLE SUITE "A" RENO, NV. 89521 (775) 318-2200	PHELPS ENGINEERING SERVICES, LLC 10651 PROFESSIONAL CIRCLE SUITE "A" RENO, NV. 89521 (775) 241-3807

UTILITIES:

CHARTER COMMUNICATIONS A/K/A/C-8 COMMUNICATIONS 50 W. WILLIAMS AVE. FALLON, NV. 89408 STEWART NICHOLS (775) 423-7171	WATER & WASTEWATER SPR UTILITY SERVICES, INC. 430 STOKER AVENUE RENO, NV. 89503 (775) 423-5104	CHURCHILL COUNTY PUBLIC WORKS DEPT. 155 N. TAYLOR STREET SUITE 104 FALLON, NV. 89408 CHRIS SPENCER (775) 423-7827
	AT&T 845 E. PLUMBO LANE P.O. BOX 10101 RENO, NV. 89520 (775) 333-4363	SOUTHWEST GAS CORPORATION A/K/A/NV ENERGY 400 EAGLE STATION LANE CARSON CITY, NV. 89703 (775) 687-2720

TABULAR DATA:

RIGHT OF WAY (PUBLIC).....	2.72 ACRES
RIGHT OF WAY (PRIVATE).....	2.08 ACRES
TRACTS (COMMON AREAS / OPEN SPACE)..... (63%)	21.43 ACRES
LOTS.....	5.17 ACRES
SITE TOTAL.....	31.4 ACRES

PROJECT DATA:

PROPERTY ADDRESS: 1855 Coleman Rd, Fallon, NV 89406
ASSESSOR'S PARCEL NO.: 006-301-11, 006-301-12
CURRENT ZONING: R-3
PARCEL SIZE: 31.4 ACRES
NUMBER OF LOTS: 18

PARCELS 1 & 2 OF THE PARCEL MAP FOR JULIA F. DRAPER, TRUSTEE OF THE JULIA F. DRAPER TRUST, RECORDED MARCH 12, 2003, IN DEED #350100, PUBLIC RECORDS OF CHURCHILL COUNTY, NEVADA.

32001017317 (EFFECTIVE SEPTEMBER 26, 2008) ZONE "X" IS IDENTIFIED AS AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD PLAIN

ZONE "A" IS DESIGNATED AS A SPECIAL FLOOD HAZARD AREA

SEE CORRESPONDING CDM'S & CIVIL IMPROVEMENT PLANS FOR FURTHER DETAILS ON THIS SUBDIVISION

SITE RECORDS:

APN	DESIGNATION	PARCEL SIZE
008-301-11	PARCEL 1	5.20 AC
008-301-12	PARCEL 2	26.21 AC
TOTAL		31.40 AC

SHEET INDEX:

- 1 OF 3 TITLE SHEET
2 OF 3 PLAN SHEET (SOUTH)
3 OF 3 PLAN SHEET (NORTH)

LEGEND OF ABBREVIATIONS:

E.O.A. — EDGE OF ASPHALT
R.O.W. — RIGHT OF WAY
U.A.E. — UTILITY & ACCESS EASEMENT (PRIVATE)
R — RADIUS
L — LENGTH
S — CENTRAL ANGLE

SURVEYOR'S STATEMENT

"I HEREBY AFFIRM THAT THIS TENTATIVE MAP FOR THE RIVERSTONE APARTMENTS WERE PREPARED UNDER MY DIRECT SUPERVISION, IN ACCORDANCE WITH ALL APPLICABLE CITY OF FERNLEY AND STATE OF NEVADA STANDARDS AND STATUTES, RESPECTIVELY, AND THAT I AM FULLY RESPONSIBLE FOR ALL HORIZONTAL CONTROL AND REVISIONS TO SAID PLANS".

RICHARD A. PEDRAZA, PSM/PLS
PROFESSIONAL LAND SURVEYOR
STATE OF NEVADA LICENSE NO. 21074
PHELPS ENGINEERING SERVICES

DATE _____

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PHELPS
ENGINEERING
19851 Professional Circle, Suite A
Reno, WY 84401 (775) 398-7200
www.phelpsengineering.net

TYPE	AS SHOWN
DRIVING IN	AP
DRIVING BY	2P
DRIVING P	RAP

TITLE SHEET

RIVERSTONE APARTMENTS
TENTATIVE MAP
CHURCHILL COUNTY, NV

DATE: 08/26/2022
PROJECT NO. 21604
1-3

SEE SHEET 3

LINE/SYMBOL LEGEND:

- CENTERLINE (EXISTING)
- CENTERLINE (PROPOSED)
- EASEMENT LINE (EXISTING)
- EASEMENT LINE (PROPOSED)
- FLOODPLAIN
- MAP LIMITS
- LOT LINE (EXISTING)
- LOT LINE (PROPOSED)
- RIGHT-OF-WAY LINE (EXISTING)
- RIGHT-OF-WAY LINE (PROPOSED)

PARCEL MAP FOR
DOUGLAS W. GROSS
PER FILE #364078

10' PUBLIC UTILITY ESMT
PER FILE #32003

APN 008-391-40
STRAHL, MCKELL, J.
5005 COLEMAN ROAD
FALLON, NV

30' PRIVATE RD ESMT
FILE #152033

30' PUBLIC UTILITY ESMT
FILE #364708

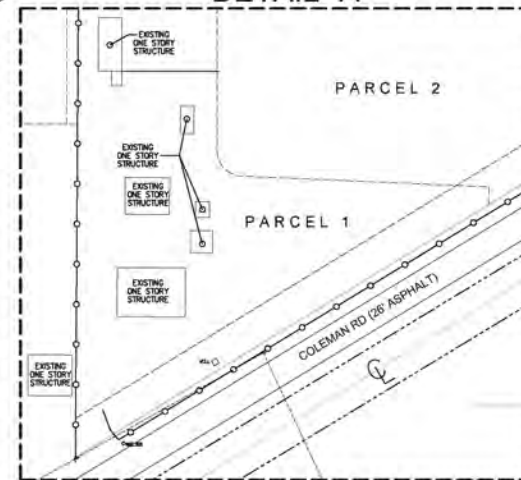
APN 008-351-07
STRONG, DALE W.
2005 COLEMAN ROAD
FALLON, NV



1"=50'

SEE DETAIL "A"

DETAIL "A"



PLAN SHEET
SOUTHERLY PORTION

RIVERSTONE APARTMENTS
TENTATIVE MAP
CHURCHILL COUNTY, NV

DATE:
06/29/2022
PROJECT NO:
21604

2-3

PHELPS
ENGINEERING
16445 N. 1775 7500
FALLON, NV 89411
www.phelpsengineering.net

DATE	06/29/2022
PROJECT NO	21604
SHEET NO	2-3
DRAWN BY	MAP
CHECKED BY	MAP
SCALE	AS SHOWN

Consent Agenda

STIPULATED AGREEMENT REQUESTING AMENDMENT TO SPECIAL USE PERMIT CONDITIONS

THIS STIPULATED AGREEMENT REQUESTING AMENDMENT TO SPECIAL USE PERMIT CONDITIONS (the "Agreement") is made and entered into by and between Churchill County, Nevada, a political subdivision of the State of Nevada (the "County"), and Omaha Track, (collectively the "Parties").

RECITALS:

WHEREAS, Omaha Track received a Special Use Permit to operate a Railroad Tie Sorting Facility in Hazen, Nevada pursuant to a meeting held on July 13, 2022;

WHEREAS, the County issued a Public Works Director's Investigation Report of Omaha Track Special Use Permit dated October 4, 2022, alleging violations of conditions #2, #10, and #11 of such permit;

WHEREAS, a hearing was held before the Planning Commission on October 12, 2022, where the Commission required further investigation into the facts and circumstances regarding the condition of the operation and the time for compliance with the conditions of the Special Use Permit;

WHEREAS, the County and Omaha Track agree that amending the conditions of the Special Use Permit are required to maintain the safety of the public, provide definite timelines for implementation of improvements by Omaha Track, ensure the productive use of the property, and are in the best interest of Omaha Track and the County;

NOW THEREFORE, County and Omaha Track agree that the Special Use Permit granted on July 13, 2022 be amended to contain the following conditions of approval:

1. This permit is subject to review/renewal on or about July 12, 2023, to ensure compliance with County Code and the conditions of the Special Use Permit. Except where otherwise stated, all conditions are effective immediately upon approval by the Planning Commission.
2. The facility shall operate within a limit of 150,000 railroad ties, equivalent to 30,000 CY of combustible material, stored on-site at one time. All railroad ties must be stored within designated storage zones in a manner substantially similar to that shown in the site plan, attached as Exhibit A.
3. There shall be no material storage north of the mainline.
4. There shall be no rail spur expansion on Lot 3.
5. There shall be no material handling or storage on the portion of Lot 1 west of the site road (adjacent to Hazen).
6. The operation of the rail yard across parcel lines is permitted. 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.

7. 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.
8. The applicant shall abide by the road agreement with the County Road Department regarding the use and maintenance of Nevada Street and the use of Hazen Avenue.
9. The applicant shall comply with the written Fire Protection Plan ("Plan") signed by the Fire Marshal, and shall implement the Plan in accordance with the schedule authorized by the Fire Marshall as shown in Exhibit B. The Fire Marshal may require updates to the Plan to ensure the fire safety of employees and the public. Applicant shall implement all updated requirements within thirty (30) days of requirement by the Fire Marshall.
10. Scrap materials shall be stored in containers as set forth in the Plan. Debris and scrap materials shall not accumulate in substantial quantities on the site. Containers must be shipped out within 90 days of being filled with material. There shall be no more than fifteen (15) containers on site at any time.
11. The site must be constructed and operated in conformance with county, state, and federal laws and regulations, including requirements for necessary permits. The following requirements are made pursuant to County Code, and/or state or federal laws and regulations:
 - a. 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.
 - b. No additional signage may be erected except as previously approved by the Planning Commission.
 - c. Landscaping is required by July 12, 2023. Two parking lot trees shall be provided near the office and irrigated. Street landscaping shall be provided at the entrance to Reno Highway and along Reno Highway frontage. Friction Zone landscaping shall be provided along the west property line (Hazen frontage). Landscaping may include signage, plants with irrigation, decorative rocks, boulders, decommissioned equipment of interest, etc.
 - d. A seven (7) foot sound barrier, berm, or wall shall be provided along the west property line (Hazen Frontage) by July 12, 2023. The barrier shall be incorporated into the landscaping. A grading permit is required.
 - e. A parking area shall be provided for employees and visitors by July 12, 2023. There must be provided at least twenty-five parking spaces, and one must be ADA accessible (asphalt or concrete). If staffing increases in the future, parking

shall be increased to provide one space per employee to the maximum number of employees scheduled to be working at any one period. All ADA requirements must be followed as it relates to the number of ADA accessible parking spaces.

f. All lighting shall meet the Churchill County Code dark skies standards to direct lighting down, and screen it from upward or horizontal projection.

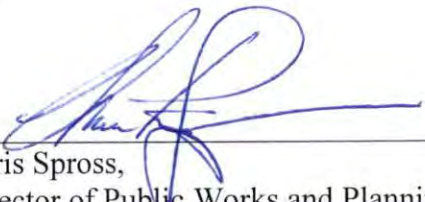
g. Impact fees and water dedication requirements must be met.

12. Operations shall be conducted in a manner that does not create a nuisance (public or private) under Nevada law or Churchill County Code.

IN WITNESS WHEREOF, this Agreement has been executed by the parties and will be effective upon ratification by the Churchill County Planning Commission.

COUNTY:

By:


Chris Spross,
Director of Public Works and Planning

OMAHA TRACK

By:

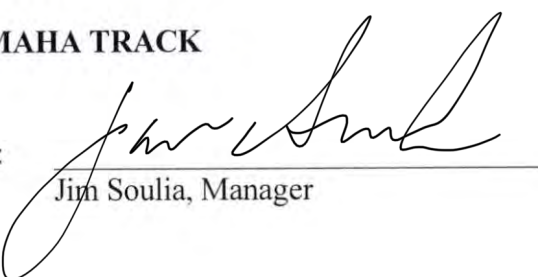

Jim Soulia, Manager

EXHIBIT A



OMAHA TRACK

Site Map

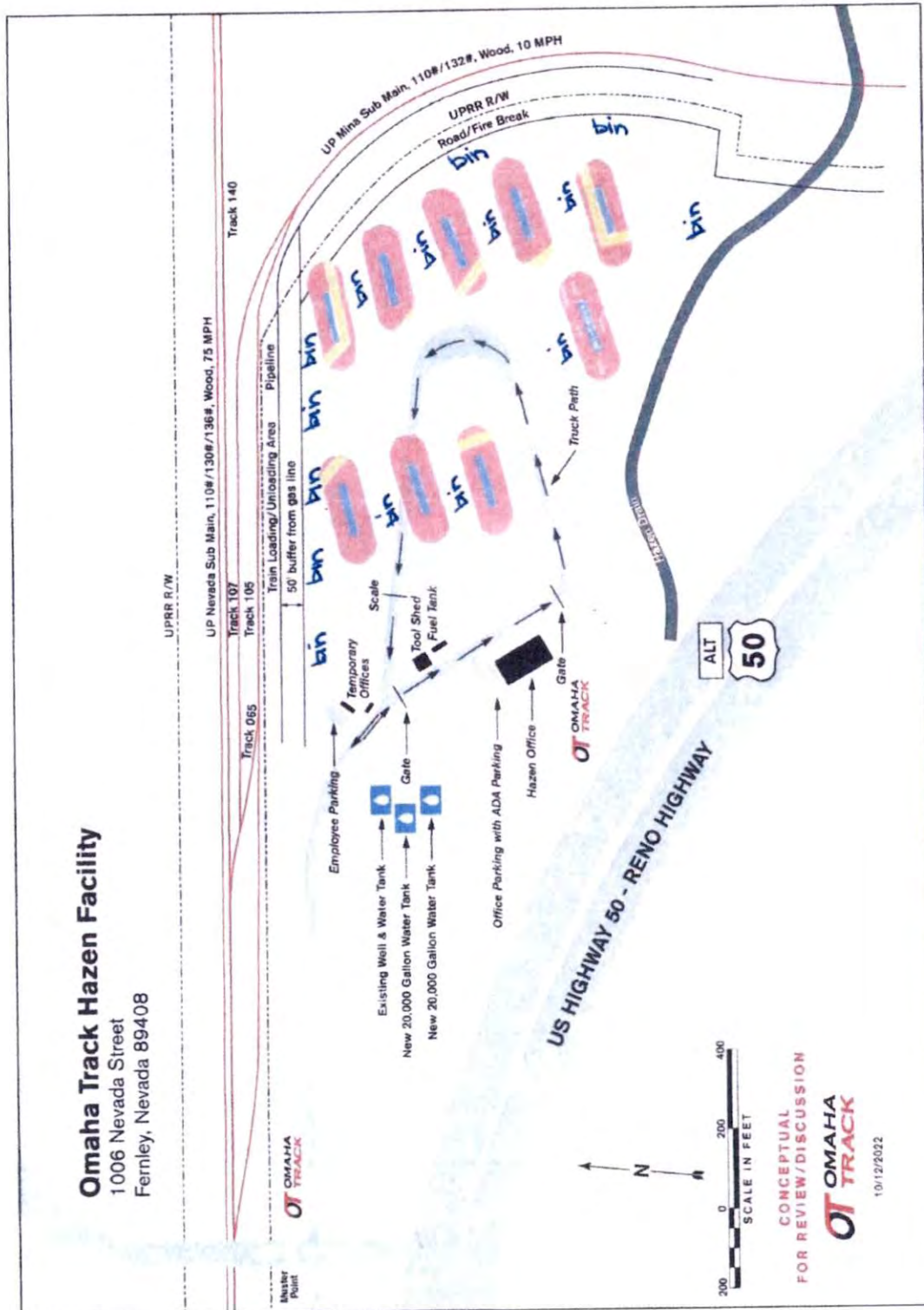


EXHIBIT B



Hazen, Nevada Facility Fire Prevention Plan

DECEMBER 2022

Statement of Fire Safety

This Plan pertains to all Omaha Track employees and contractors working within the Hazen, Nevada facility.

The goal of this plan is to prevent loss of life, disruption of company operations, damage to company property, any threat to public wellness, and damage to public property.

Our intent is to be proactive in our business to prevent a fire through strategic planning in our material handling, providing appropriate safety equipment, and engaging with local emergency agencies to ensure preventive measures are sufficient for the facility.

The plan includes 9 key areas.

- Suppression Equipment
- Fire Detection Equipment/Fire Watchman
- Response procedures
- Site Map (Provide updated version showing stacks, building, water storage)
- Material Handling
- Emergency Contacts
- Site specific details
- Preventive action
- Equipment standardization

1. Suppression Equipment

a. Onsite suppression equipment will always be present and includes:

- i. Minimum of 52,000 gallons of water available on site.
- ii. Minimum of 1-4A:60B:C dry chemical and 1-2A water, fire extinguishers on each piece of equipment and in each building.
- iii. Minimum of 1 shovel available to each employee on site.
- iv. The area must be cleared of vegetation and potentially flammable materials during any maintenance activities requiring cutting, grinding, or welding. At least 2 each of the forementioned fire extinguishers must be within reach of the employee performing the hot work, with a second employee acting as a fire watch.
- v. Welding tents or screens shall be used.

Fire Detection Equipment

- An Early Fire Detection System shall be installed to allow the facility to be monitored for fire during non-operational hours.
- Detection units shall communicate to a fire panel at the office.
- A manual pull station will be installed in the office area.
- The panel is to be monitored by a third-party contractor at all times.

Fire Watchman

- As an alternative to the Early Fire Detection System, a fire watchman may be employed to monitor the facility for fire during non-operational hours.
- The fire watchman may not have competing duties that would inhibit the ability to perform the function of a fire watchman.

2. Response Procedures

- a. All onsite yard employees and contractors will respond to any fire event with the intent of extinguishing or isolating the area from risk of spread, **without endangering their own safety or the safety of others.**

Take these steps for any fire:

- Call EMERGENCY over the radio (OT channel 1) to muster everyone to the fire area.
- Direct someone to activate emergency notification system and call fire department dispatch at 775 423-3116 or 911.
 - o (Inform 911 personnel that you are located at the Omaha Track Facility in Hazen and request Fallon Fire to respond)
- Attempt to extinguish or isolate the area from fire spread.

If a fire begins to spread and conditions become unsafe:

- Evacuate the area.
- Report to the designated muster point.
- Begin calling any other necessary Internal Emergency contacts found on page (6)

Site Map

A site map detailing the location of all tie storage locations, non-tie storage locations, water storage, buildings, and containers will be provided.

Material Handling

Tie material should be stored in loose or bundled form not to exceed 30,000 cubic yards of combustible material using the following procedures:

- Gradable and graded ties must not be stacked higher than 15 feet. Rows are to be within established stacking aisles with 200 feet of spacing between the adjacent rows. Spacing between aisle ends shall not be less than 400 feet.
- Scrap tie partials, shreds, or otherwise unacceptable for grading, must not be stored on the ground.
 - o All combustible debris is to be placed in steel containers a minimum of 100 feet away from any stacked ties until the steel containers can be loaded on rail cars and moved to another facility.
 - o Combustible debris is to be on site no more than 90 days.
 - o Combustible debris will count towards total cubic yardage of combustible material on site.
 - o Scrap ties will count toward total cubic yardage of combustible material on site.



OMAHA TRACK

MATERIALS RAILROAD SERVICES EQUIPMENT TERMINAL SERVICES

Local Emergency Contacts

Fallon/Churchill County Fire Department (Dispatch)	775-423-3116 or 911
Kinder Morgan (Gas line)	714-560-4411
Union Pacific	888-877-7267
Nevada Highway Patrol	775-575-5518
NV Energy	702-402-2900

Omaha Track Emergency Contacts

Local Yard Manager	775-217-2124
Director of Western Region	480-584-8025
Safety Manager	509-342-9986

Site Specific Information

Elevation	4,015 feet
Slope	Flat
Plot size	18 acres
Access Points	3
Base Type	Dirt, gravel
Fuel Types	Timber ties, surface vegetation- grasses & brush
Adjacent Properties	Union Pacific Railroad, private residential, NDOT



OMAHA TRACK

MATERIALS RAILROAD SERVICES EQUIPMENT TERMINAL SERVICES

Equipment Standardization

- Minimum of 1-4A:60B:C dry chemical and 1-2A water, fire extinguishers on each piece of equipment.
- Two full water trucks will be on site at all times
 - o Each truck will carry a minimum of 3000 gallons of water onboard.
 - o Each truck will have a pump capable of providing at least 750 GPM at a pressure of 75 PSI.
 - o Each truck will have a monitor capable of delivering 250 GPM a distance of 100 feet through an adjustable pattern nozzle.
 - o We would recommend (but not require) a monitor equipped with oscillation capabilities.
 - o Water trucks are to be stored in a conditioned building to prevent freezing.
 - o At least one of the two trucks must be prepared for immediate use for the purpose of fire suppression at all times. When not in active use, the other truck must be prepared for immediate use for the purpose of fire suppression.
- A minimum of 1-2A:10 B:C fire extinguisher shall be located in each building.
- Minimum of 2-4A:60B:C dry chemical and 2-2A water, fire extinguishers on each piece of equipment and readily at hand for any maintenance work requiring torch cutting, grinding, or welding.
- On site water storage tank(s) to include a winterization plan and a maintenance plan for pumps, including weekly startups to ensure dependability.
- On site pump or pumps capable of delivering 1000 GPM of water shall be installed to include a winterization and maintenance plan to include weekly start-up of pump or pumps.

All employees to be trained on the use of suppression equipment including water trucks and pumps.

Omaha Track - Conditions for Permissible Rail Tie Storage Quantities

12/7/2022

Permissible Railroad Tie Quantity (ea)	Conditions
Prior to Delivery of Any Ties	- One dedicated fire truck with the equipment outlined in the October 2022 Fire Prevention Plan. Truck must always be full and protected from freezing. - Water tank(s) with a minimum 20,000 gallon capacity - 1,000 gpm gas or diesel driven water pump or multiple pumps with combined 1,000gpm capability - Storage areas for 50,000 rail ties defined and constructed to fire department requirements - All appropriate fire extinguishers installed on equipment and within the buildings - Emergency contacts and site map posted in the office
0 - 50,000 ties (0 - 10,000 cy)	- Additional water tank(s) creating a minimum 52,000 gallon total capacity on site located next to first tank within 60 days of first tie delivery - Additional fire truck with the equipment outlined herein within 60 days of first tie delivery. Truck must always be full and protected from freezing when not in use. - Employee fire suppression training completed and documented within 30 days of first tie delivery. - Monthly submission to CCFD and PWP&Z records of weekly fire equipment start-up and maintenance - Monthly rail tie inventory submitted to PWP&Z - Begin construction of insulated building to house 2 dedicated fire trucks
50,001 - 150,000 ties (10,001 - 30,000cy)	- Storage areas for 50,001 to 150,000 rail ties defined and constructed to fire department requirements - Fire detection system or fire watchman for non-working hours implemented. - Complete construction of insulated building to house 2 dedicated fire trucks. Building must be completed prior to annual SUP review regardless of tie quantity.



Safety-Kleen Systems, Inc.

2022 Installation of Additional Storage Tank



Purpose

- Safety-Kleen is proposing to install a storage tank for n-methyl pyrrolidone (NMP)
- Agenda
 - Safety-Kleen Introduction
 - What will the project do?
 - Where will the tank go in the re-refinery?
 - Overview/Update of the safety and compliance record since Safety Kleen purchased the re-refinery in 2016

What Does the Fallon Re-Refinery Do?

- The Fallon Re-Refinery currently processes about 28 million gallons of used oil annually
- It produces the following products:
 - 120N base oil lubricant
 - 240N base oil lubricant
 - Various industrial fuels
 - Asphalt material
- This is recycling at its best!
 - Reduces our dependence on foreign oil imports
 - Makes lubricants a renewable resource



Our Finished Product!



What does the project do?

- Safety-Kleen will install a 21,000 gallon storage tank with secondary containment for n-methyl pyrrolidone (NMP).
- The NMP will be received on trucks originating from a customer location and loaded into the storage tank which will provide surge capacity before loading onto a railcar for transport to a Clean Harbors recycling facility.
- This project will be within the facility fence line but will be operationally separate from the used oil re-refining operation.

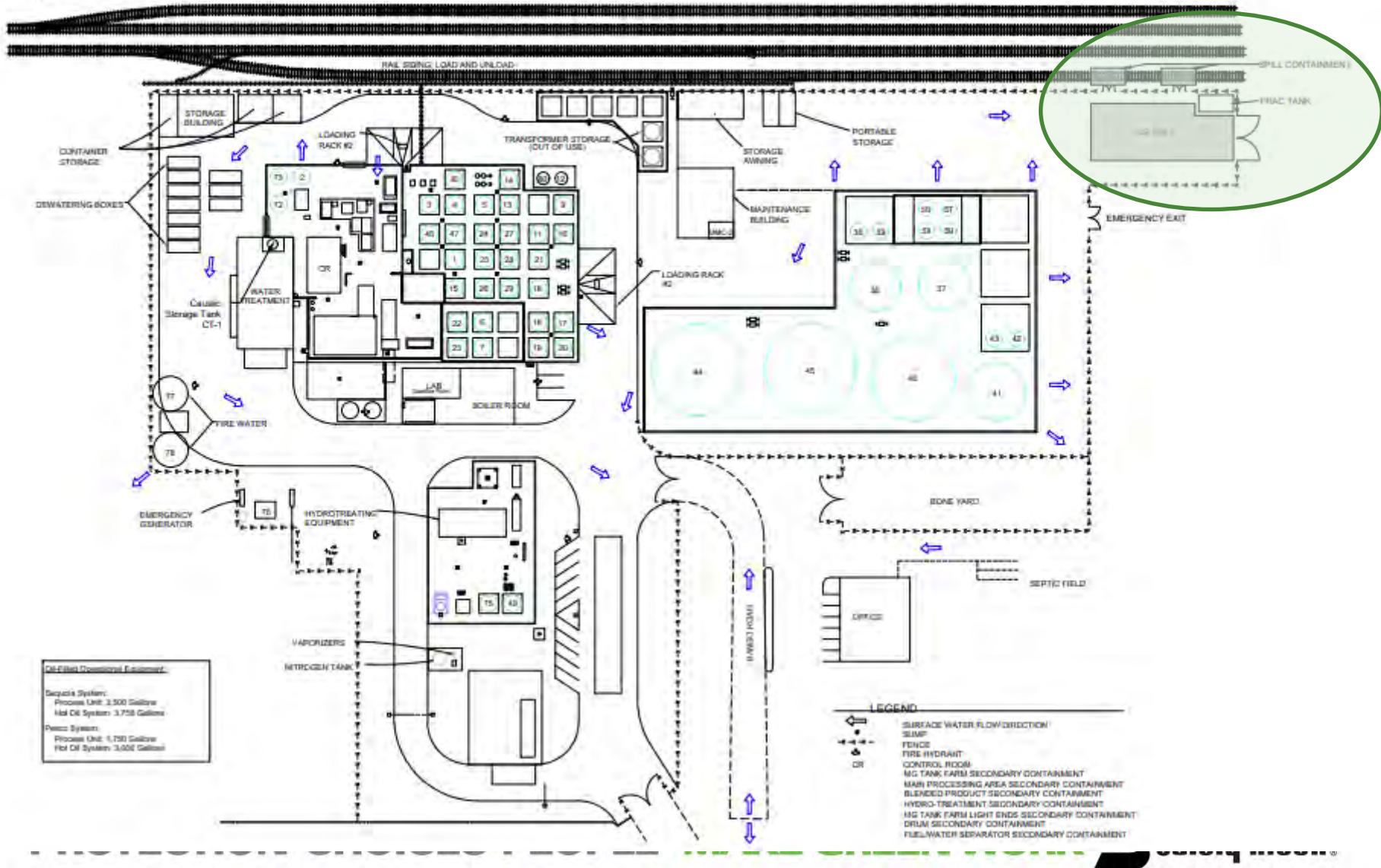
More Details

- The tank will have secondary containment sized for the tank capacity plus precipitation from 24-hour 25-year storm event. This will prevent NMP from reaching the ground in the event of unexpected leaks or spills.
- The facility's security fence will be extended to include this tank and prevent unauthorized access to the tank. The tank will be inspected daily to ensure there are no leaks, deterioration, or damage.
- Asphalt will be extended to ensure smooth access for truck traffic and eliminate any congestion.
- NMP has a mild odor, and Safety-Kleen does not expect any odor to extend past the site perimeter.
- The NMP truck trips will not exceed Safety-Kleen's permit for allowable truck traffic.

Stock Photo of Tank



Location of the NMP storage tank





Refinery Compliance and Safety Record.

Safety Kleen Re-Refinery – Safety and Compliance

- Since Safety Kleen acquired the Re-Refinery in 2016:
 - Odors that were prevalent at the re-refinery pre-acquisition have been eliminated. Complaints have stopped.
 - There are been 3 minor recordable injuries at the re-refinery since 2016. This puts our TRIR at less than 1.0, which is much lower than industry standard. Safety Kleen will always put safety first!!!
- Safety-Kleen manages millions of gallons of chemicals each year, including oils, fuels and asphalt. The operation is subject to a variety of regulations, including EPA & NDEP, as well as routine agency inspections. Safety-Kleen maintains an extensive internal inspection and compliance program that ensures areas of non-compliance are identified quickly, that corrective action is completed, and compliance timelines are met.

Summary...

- Safety-Kleen requests approval to install this NMP Tank.
 - Installation of the tank will increase efficiencies in transportation while ensuring quality service to a local customer.
 - Safety-Kleen's expanded fence line, tank and containment design, inspection program, and dedicated staff will ensure the tank is managed safely and in compliance with applicable regulations.
- Thank you all for your time today!!

Questions?





CHURCHILL COUNTY PLANNING COMMISSION

DECEMBER 14, 2022

PROJECT LOCATION

107.2± ACRES



The following request has been made to Churchill County:

- Creation of a 107.2 acre Planned Unit Development to include up to 617 units.
- A tentative subdivision map to allow for 101 single family lots and 108 attached single family units (townhomes)

PROJECT REQUEST

OVERALL PUD PLAN



LAND USE SUMMARY

Land Use Designation	Area (acres)	Number of Units	Land Use Concept
Single-Family Residential	28.9±	101	Provides for single-family residential uses at varying lot sizes (as mandated by this Handbook).
Attached Single-Family Residential (Townhomes)	12.8±	108	Allows for attached single-family products, including townhomes on individual parcels or as part of a common interest subdivision.
Multi-Family Residential	21.4±	408	Allow for apartment and for rent residential uses at varying densities as mandated by this Handbook.
Open Space	21.4± ¹	-----	Dedicated open or common areas. No development shall be permitted with the exception of recreational facilities, trails, utilities, etc. May be public or private.
Park	10±	-----	Reserved for public park facilities.
TOTAL	107.2±	617	-----

1 — Excludes private open space or park facilities associated with multi-family uses.

WHY A PUD?

- Allows for diversified housing options.
- Strict development standards.
- Increased quality and aesthetics.
- Community amenities such as trails, open space, enhanced landscaping, etc.
- Public amenities including community park.
- Provides for ongoing maintenance of common areas and community amenities.

PLAN UPDATES

- Increased buffers.
- Limitations on building heights/# of stories.
- Updated phasing plan.
- Defined public park amenities.
- Commitments on public improvements and timing of such.

HIGH HOUSING DEMAND

- Continued expansion of NAS Fallon.
- Tremendous employment/job growth.
- Retirees.
- Generational growth.

SINGLE FAMILY

101 UNITS



SINGLE FAMILY



- 101 units.
- Primarily in Southern Unit.
- Lots ranging from 7,000 to 15,000 + square feet.
- Pedestrian connectivity within neighborhoods.
- Lot matching or significant buffering to existing homes.
- Southern Unit streets to be maintained by the HOA.

ATTACHED SINGLE FAMILY (TOWNHOMES)



ATTACHED SINGLE FAMILY/TOWNHOMES



- 108 units.
- West side of Northern Unit.
- Individually platted lots.
- Two-story units with garage.
- Landscaped common areas.
- Significant landscape buffer on west side.
- Minimum 80-foot building setback on south and west.
- Provides more affordable home ownership opportunities.

APARTMENTS



APARTMENTS



- 408 units.
- East side of Northern Unit.
- First modern complex to be constructed in 20+ years.
- Numerous amenities for residents.
- Fills direct community need.
- Two-story buildings located on east side.
- Significant buffering on east. Including 80-foot minimum setback.

COMMUNITY PARK



PARK



- 10 acres
- Public not private.
- Much needed flat fields.
- Restrooms.
- Lighting improvements.
- Walking paths and community trail connections.
- Parking areas.
- Preservation of existing healthy mature trees.

OPEN SPACE

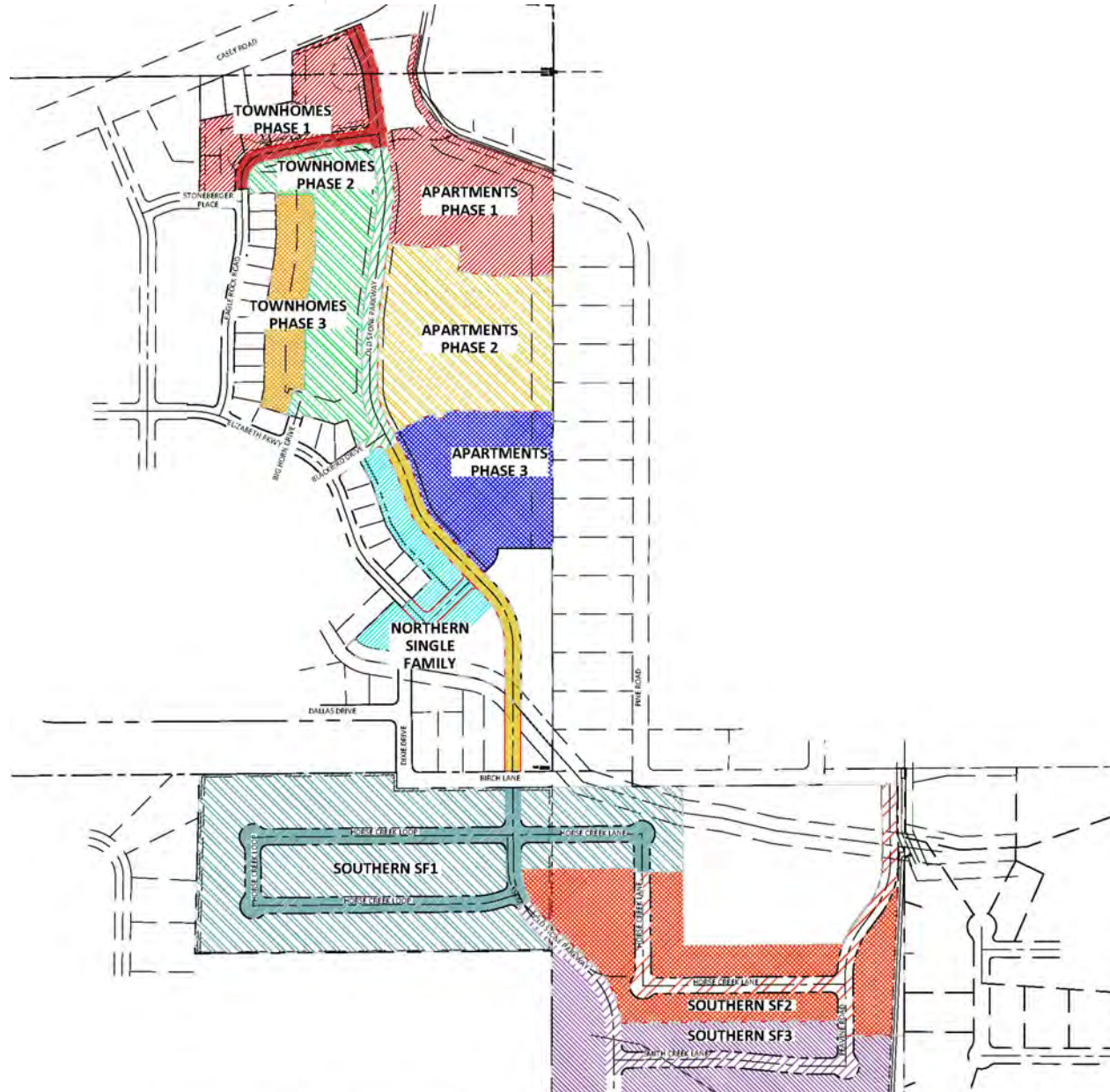


OPEN SPACE



- 21.4 acres (20% of site area)
- Excludes “private” open space and amenities with townhomes and apartments as well as community park.
- Includes trail network and shared use path.
- Owned and maintained by HOA.
- Open to the public.
- Fully landscaped retention basins/drainage features.
- Adds to community aesthetics.

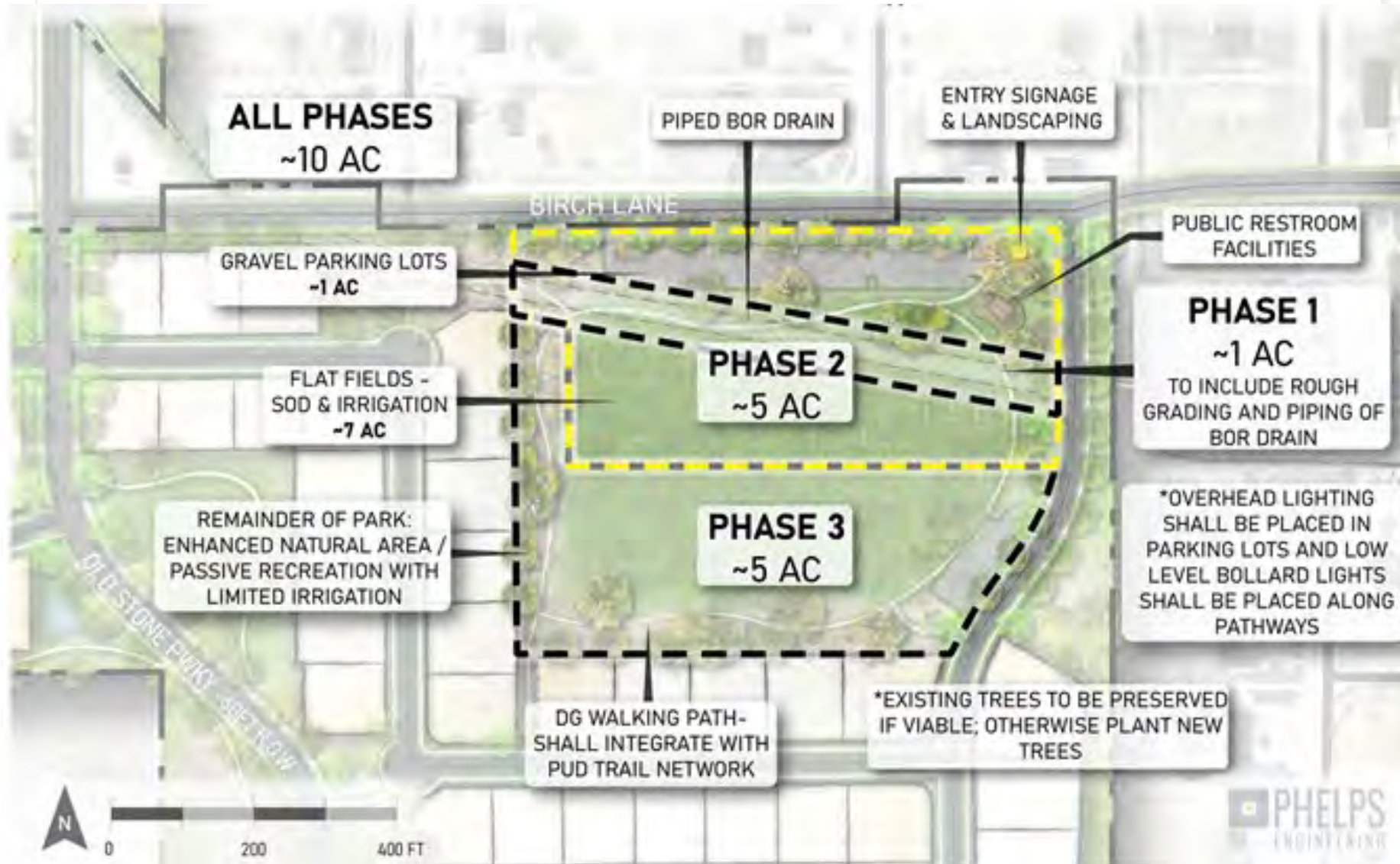
PHASING



INFRASTRUCTURE PHASING:						
	INCLUDED UNITS	ESTIMATED UNITS/LOTS	% OF UNITS	ONSITE ROAD IMPROVEMENTS (TO BE COMPLETED PRIOR TO FIRST COO)	OFFSITE ROAD IMPROVEMENTS	PARK TIMING (SEE PARK PHASING)
	PHASE 1 APARTMENTS	150	24%	EAGLE ROCK EXTENSION TO OLD STONE PKWY AND OLD STONE PKWY FROM CASEY TO SOUTH SIDE OF INTERSECTION WITH EAGLE ROCK	CASEY ROAD IMPROVEMENTS: WIDEN CASEY AS NECESSARY TO PROVIDE LEFT TURN IN PER TRAFFIC STUDY	
	PHASE 1 TOWNHOMES	20	3%			
	PHASE 2 TOWNHOMES	52	8%	CONNECTION TOWNHOMES SECONDARY ACCESS TO BIG HORN		
				OLD STONE PKWY FROM EAGLE ROCK TO BLACKBIRD		
	PHASE 2 APARTMENTS	150	24%	OLD STONE PKWY FROM EAGLE ROCK TO BIRCH	BIRCH/ALLEN INTERSECTION IMPROVEMENTS PER TRAFFIC STUDY	PHASES 1 AND 2*
	PHASE 3 TOWNHOMES	36	6%			
	PHASE 3 APARTMENTS	108	18%			
	NORTHERN SINGLE FAMILY	13	2%	CONNECT ELIZABETH TO OLD STONE PKWY		
				BLACKBIRD CONNECTION		
				ALLEY		
	SOUTHERN SF 1	46	7%	CONNECT OLD STONE PKWY (SOUTH) TO BIRCH	BIRCH/ALLEN INTERSECTION IMPROVEMENTS PER TRAFFIC STUDY	PHASE 1*
				CONSTRUCT OLD STONE PKWY FROM BIRCH TO SOUTH SIDE OF INTERSECTION W/ PEAVINE ROAD		
				CONSTRUCT HORSE CREEK LOOP		
				CONSTRUCT HORSE CREEK LANE (TO END OF PHASE)		
	SOUTHERN SF 2	23	4%	CONNECT PEAVINE ROAD TO BIRCH		PHASE 2*
				COMPLETE HORSE CREEK LANE		
				CONSTRUCT CLEAR CREEK LANE		
				CONSTRUCT PEAVINE ROAD (TO END OF PHASE)		
	SOUTHERN SF 3	19	3%	COMPLETE OLD STONE PKWY		PHASE 3*
				COMPLETE PEAVINE ROAD		
				CONSTRUCT SMITH CREEK LANE		
		617	100%			

* PARK TIMING:			
PHASE	IMPROVEMENTS	WHEN REQUIRED (WHICHEVER COMES FIRST)	
1	OVERALL GRADING, PIPING OF IRRIGATION DRAIN, DRILLING OF COUNTY WELL	WITH THE FIRST PHASE OF THE SOUTHERN UNIT	PRIOR TO THE C of O OF 40% OF THE OVERALL PUD UNITS
2	PARKING AREA (WITH LIGHTING), RESTROOMS, 50% OF FLAT FIELDS	PRIOR TO THE LAST C of O WITHIN SOUTHERN SF2	
3	REMAINING AMENITIES AND IMPROVEMENTS	PRIOR TO THE LAST COO WITHIN SOUTHERN SF3	PRIOR TO THE C of O OF 90% OF THE OVERALL PUD UNITS

COMMUNITY PARK PHASING



ROADWAY IMPROVEMENTS

CASEY ROAD/OLD STONE PARKWAY INTERSECTION

IMPROVEMENTS TO BE COMPLETED WITH FIRST PHASE OF NORTHERN UNIT



ROADWAY IMPROVEMENTS

S. ALLEN ROAD/BIRCH LANE INTERSECTION

IMPROVEMENTS TO BE COMPLETED CONCURRENT WITH DEVELOPMENT OF SOUTHERN UNIT OR WITH COMPLETION OF APARTMENTS.



TRAFFIC

SOLAEGUI
ENGINEERS LTD.

- Comprehensive Traffic Impact Analysis completed and reviewed by Churchill County.
- Traffic study was scoped with input from Churchill County and NDOT.
- Mitigation measures identified in study are incorporated into the PUD standards/proposed improvements.
- All studied intersections operate within acceptable level of service (LOS).
- Casey mitigation improvements will occur with initial phase.
- Striping of Allen Road from Sheckler to Williams (Hwy 50) will occur with initial phase.

INFRASTRUCTURE AND SERVICES



- Detailed engineering plans and reports have been submitted for review by Churchill County.
- Engineering includes drainage/hydrology report, geotechnical investigation, grading plans, and utility plans.
- Project will connect to municipal water and sewer.
- Engineering has been reviewed by County and NDEP staff and a recommendation for approval has been issued.
- Also coordinated with BOR and NDOW.

ENGINEERING CONSIDERATIONS



- Highly detailed analysis and design must be completed and approved prior to final map (above and beyond that already completed).
- Project cannot increase flows offsite from pre-development conditions. Onsite detention/retention of storm water will be provided.
- Any infrastructure upgrades needed to serve the project will be at the expense of the developer.

CURRENT HOUSING CONDITIONS

- Vacancy rates at historic lows.
- Base housing at 100% capacity.
- Rising prices/significant affordability issues.
- Imbalance in housing choices.
- Residents being forced out of the market.
- Navy estimates 35% growth between 2020-2027.
- Demand signal for new housing has been issued by NAS Fallon.



DEPARTMENT OF THE NAVY
NAVAL AIR STATION FALLON
1750 VANDERBILT ROAD
FALLON, NV 89408

11101
Ser N00 0375
December 9, 2022

Mr. Kim McCreary
McCreary-Stanger Group
3305 Hwy 50A
Fernley, NV 89408

Dear Mr. McCreary:

SUBJECT: NAVAL AIR STATION FALLON'S 12 DECEMBER 2022 HOUSING MEETING
WITH MCCREARY STRANGER GROUP

Thank you for providing Naval Air Station Fallon (NASF) with an update about your multi-family development project. While the Navy does not endorse non-federal entities, I appreciate the information on your project and your efforts to provide additional housing in the area which could be utilized by our Service Members and their families.

Annually, Commander, Navy Installations Command (CNIC) reviews community rental data collected by the Housing Service Center and Basic Housing Allowance entitlements disbursed to Service Members. The last Housing Requirements and Market Analysis (HRMA) was conducted August 2022 which noted deficiencies in suitable housing within the community.

Additionally, the CNIC requirements team conducts an in person HRMA every five years. Our last site visit in 2020 included meetings with local City/County planners, real estate agents, and property managers. The CNIC requirements team then collected the information from their visit and shared it with Navy leadership. Although Fallon and Fernley reported growth in single family homes, Fallon does not have a large inventory of apartment complexes when compared to Fernley.

NASF's Housing Service Center is the primary point of contact for those seeking rentals within the community. The Housing Service Center has noticed an increase in the need for adequate housing in the area and, at times, finds it challenging to locate available units. In closing, new developments of multi-family complexes in the local area would be a benefit to the community.

Sincerely,

S. P. TANNER

Copy to:
NASF Housing Service Center

“Annually, Commander, Navy Installations Command (CNIC) reviews community rental data collected by the Housing Service Center and Basic Housing Allowance entitlements are distributed to Service Members. **The last Housing Requirements and Market Analysis (HRMA) was conducted August 2022 which noted deficiencies in suitable housing within the community.**”

“The Housing Service Center has noticed an increase in the need for adequate housing in the area, and at times, finds it challenging to locate available units. In closing, new developments of multi-family complexes in the local area would be a benefit to the community.”

July 30,
2019

HOUSING NEEDS ASSESSMENT- CHURCHILL COUNTY, NEVADA

PREPARED BY:

EKAY | ECONOMIC CONSULTANTS

550 WEST PLUMB LANE, B459

RENO, NV 89509

(775) 232-7203

WWW.EKAYCONSULTANTS.COM

- A major finding of this report is lack of multi-family (apartment) product, including:
 - Churchill County's imbalance of multi-family units compared to other residential types, low vacancy levels for rental products, few new multi-family projects, and home affordability issues

- The region in which Churchill County is located is experiencing significant employment and population growth. As the region grows, housing availability and affordability is pushing new residents further from the Reno-Sparks population center
 - Close commuting ties between Churchill County and industrial parks in Fernley and Tahoe Reno Industrial Center, along with cheaper housing prices create demand for housing in the County
 - County's demographics, economy, transportation networks, and significant amount of industrial land are well positioned to capitalize on the regional growth

MARKET SUPPLY

- As the County recovers, housing construction in the County remains slow
 - Only 2.1% of the County's housing inventory (214 units) were added in the past ten years (2010-2019)
- The County's residential inventory is heavily weighted towards single-family detached and manufactured homes-only 10.8% of total housing inventory is made up of multi-family units (compared to 29.8% in Washoe County)
- Overall housing vacancy is estimated at 3.2%

September
10, 2021

HOUSING NEEDS ASSESSMENT- CHURCHILL COUNTY, NEVADA

PREPARED BY:



EKAY Economic Consultants, Inc.
Economics for the changing world

550 WEST PLUMB LANE, B459
RENO, NV 89509
(775) 232-7203
WWW.EKAYCONSULTANTS.COM

- Planned expansion of the Fallon Naval Air Base, located in the County, as well as planned and existing industrial and commercial developments will further lead to growth in employment and population in the County.
 - Over the next five years (2021-2025) the County is expected to add 162 non-industrial and 1,166 military-related employees in the County, with industrial employment ranging from 250 to 929 depending on the growth scenario, for a total of 1,577 to 2,257 new employees estimated over the five-year period.
- Lack of available inventory and rising prices are leading to affordability issues in the market. Given the estimated median family income in Churchill County in 2021 of \$69,900, a family can afford to purchase a home priced at \$320,000 and rental rates of \$1,750 per month.

MARKET DEMAND

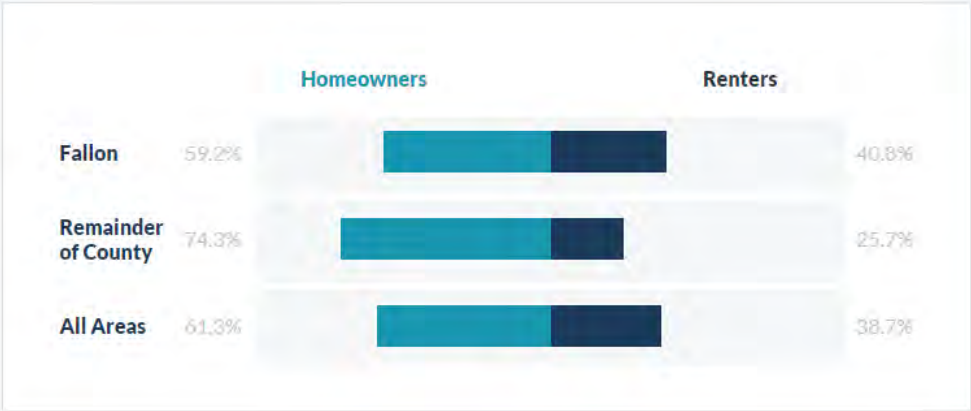
- Demand for residential housing in Churchill County, excluding demand from active NAS Fallon personnel, is estimated to range from 1,088 units over the five-year analysis period under the low-growth scenario and 1,801 under the high growth scenario.
- NAS Fallon estimates at least 550 new housing units will be required to meet demand associated with current and expanding active personnel. This number is conservative.
- Total residential demand is estimated to range between 1,638 and 2,351 units over the five year analysis period.
- This results in an average of 328 to 470 units needed per year to accommodate future employment growth in the County.
 - Compared to an average of 32 units per year added in the County over the last 11 years, this results in a significant shortage of housing for Churchill County.



Housing Units

The following summarizes the distribution of homeowners versus renters among the total housing units in all areas.

	Total Units
Fallon	8,366
Remainder of County	1,325
All Areas	9,691





ECONOMIC DEVELOPMENT AUTHORITY OF WESTERN NEVADA

In Partnership With the Governor's Office of Economic Development

[Business Relocation](#) [Business Toolkit](#) [Help with Hiring](#) [Startup](#) [Investors](#) [Contact Us](#)

Northern Nevada Economy Fueled By Growth in Tech and Manufacturing-59 Companies, 29 Headquarters and 5,600 Jobs Reach Unexpected Milestones During the Pandemic

[< Previous](#) [Next >](#)



Table 1: Study Area Consensus Forecast: 2019 – 2023

Year	Consensus		
	Population	Employment	Households
2001	490,300	339,634	195,640
2002	502,393	338,810	200,312
2003	517,893	346,037	207,181
2004	534,424	360,666	213,067
2005	551,698	374,266	219,777
2006	566,456	385,242	225,129
2007	577,438	390,938	229,573
2008	583,694	378,594	231,615
2009	580,602	350,736	229,427
2010	581,597	340,978	229,929
2011	583,440	341,737	232,404
2012	586,938	341,784	234,802
2013	591,016	351,013	237,482
2014	597,355	358,253	239,591
2015	604,224	368,592	242,534
2016	613,188	381,166	246,904
2017	622,477	392,871	251,335
2018	632,267	406,621	255,925
2019	644,221	419,375	261,066
2020	655,418	430,928	265,809
2021	666,263	440,926	270,336
2022	676,598	450,119	274,500
2023	686,737	458,206	278,484
5-Yr % Chg.	8.6%	12.7%	8.8%
5-Yr Chg.	54,470	51,585	22,559

Note: Forecast years in shaded area.

Sources: IHS, W&P, NSD, BEA, RCG, TMWA, EMSI, EDawn

FINDINGS

Approval requirements and required findings. In approving a PUD, the planning commission and the county commissioners shall find the following:

- Growth and/or other development factors in the community support a change in the land use.

As documented in the presented studies and reports, there is a desperate demand for new housing in Churchill County, especially multi-family. Given growth at NAS Fallon, employment growth in the region, and generational demands, OSR can serve to help meet housing needs and diversify offerings within the County.

- The change in land use represents orderly development, and that adequate services and infrastructure to support the proposed land use are available in the area.

Detailed engineering plans, reports, and analysis were prepared and submitted to Churchill County and circulated to all applicable departments/reviewing agencies. The County's professional staff concurs that the project meets or exceeds established infrastructure/service criteria, as proposed, and is recommending approval of the project.

- The change in land use provides for an appropriate use of the land.

Residential use is highly appropriate given surrounding uses and serves to meet an immediate community need. The addition of a community park not only provides a significant public benefit/amenity, but will provide much needed sports facilities for community youth programs.

- The proposed land use is in substantial conformance with the master plan and other adopted plans and policies.

The site is within an Urbanizing zone targeted for new development and serves to implement numerous policies, as spelled out in the PUD Handbook.



QUESTIONS
ANSWERS

Mike Railey

Planner

Christy Corporation, Ltd.

Rebecca Bernier, P.E.

Civil Engineer

Westex Consulting Engineers

Paul Solaegui, P.E.

Traffic Engineer

Solaegui Engineers, Inc.

NEVDEV, LLC – Project Applicant

- Kim McCreary
- Jessica Stanger
- Dan McCreary



Lahontan VALLEY NEWS

SERVING FALLON AND PERNLEY AND FALLON EAGLE STANDARD

Proof and Statement of Publication
AD #: 29368

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Legal Account

CHURCHILL COUNTY/ PLANNING

155 N TAYLOR ST STE:194
FALLON, NV 89406

Jodi Lynn Dark says:

That she is a legal clerk of the
Lahontan Valley News
a newspaper published Thursday at
Fallon, in the State of Nevada.

Copy Line

12/1 LVN Old Stone Ranch NOPH

PO #:

AD #: 29368

of which a copy is hereto attached, was published
in said newspaper for the full required period of 1
time(s) commencing on **12/1/2022**
and ending on, **12/1/2022**
all days inclusive.

Signed:

Jodi Lynn Dark

Statement:

Date	Amount	Balance
12/1/22	228.50	228.50

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held in the Churchill County Administration Complex, 155 North Taylor Street, County Commission Chambers, Fallon, Nevada. Public hearings will be held on the following dates and times:

- Churchill County Planning Commission: **Wednesday, December 14, 2022, starting at approximately 7:00 p.m.**, on the request below.
- Board of County Commissioners: **Tuesday, January 3, starting at approximately 8:15 a.m.**, on the request below.

Consideration and possible action re: A planned unit development permit application filed by Nev Dev, LLC. The property is located near Casey Road and Birch Lane, Assessor's 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 in the R-1/E-1 zoning districts. The properties were previously approved for urban development, but those approvals have expired. The current development 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. Consideration and possible action re: A planned unit development tentative subdivision map filed by Nev Dev, LLC. The property is located near Casey Road and Birch Lane on Assessor's 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 in the R-1/E-1 zoning districts. The subdivision will implement the planned unit development.

Multiple meetings have been held for this Planned Unit Development, and the recommendation of the Planning Commission will be forwarded to the Board of County Commissioners for a final decision. A copy of the planned unit development will be available in the Public Works, Planning and Zoning Department.

If you cannot attend the Planning Commission meeting, written comments may be submitted to the Public Works, Planning & Zoning Department, 155 N Taylor St, Suite 194, Fallon, NV 89406, before 4:00 p.m. on December 13, 2022. We will also post a scanned copy of the application with the Planning Commission Agenda on December 8, 2022 on our web page at www.churchillcountynv.gov under Agendas & Minutes.

If you cannot attend the Board of County Commissioners meeting, written comments may be submitted to the Clerk/Treasurer's Office, 155 N Taylor St, Suite 110, Fallon, NV 89406, before 4:00 p.m. on January 2, 2023. The Board of County Commissioners will make the final decision for these items.

Dated at Fallon, Churchill County, Nevada, November 23, 2022.

By: /s/

Diane Moyle, Administrative Assistant



Churchill County School District

Everyone Always Learning...

Dr. Summer Stephens, Superintendent
Derild Parsons, Director of Learning & Innovation

October 18, 2022

Churchill County Planning Commission
155 North Taylor Street
Fallon, NV 89406

Dear Commission Members,

Thank you for the opportunity to share the Churchill County School District's perspective for the transportation needs of potential students living at the Old Stone Ranch development. Based on a conversation with Dean Patterson in December and a review of the plans, we have the following suggestions as the development progresses in design and development.

- 1) The buses for ChurchillCSD will most likely enter off of Birch Lane into the subdivision and turn right onto Old Stone Parkway. The district recommends a way to find space for a turn out if possible to the south of the multi-unit apartments since there are no planned driveways on the Parkway. We also would recommend the use of the entry landscape common area for the apartments (as seen on Exhibit #1 in the plans book), as well as pull outs on the west end of Eagle Rock Road to accommodate the townhouses. In addition, the district would for consideration of the use of the community park area to be used as a stop that will accommodate many students and provide a possible better opportunity for safety for the buses and students (as we will most likely have more than one bus running to this development).
- 2) The district requests that crosswalks be planned and marked at intersections in any location that may be needed for safe student crossing to accommodate a bus pick up, especially with the parkway being more of a thoroughfare. This will provide the best opportunity for children living in the complexes or townhomes to traverse to the potential stop at the community park area (if possible).

When considering bus stop locations, the district will take into account the number of riders from each of the units in the complex once established. The goal is to avoid backing, turning around, and finally stopping on roadways when possible. Most parking lots do not have the space needed in their design for buses to safely navigate, so use of the roadway and bus pull-off areas is the best in the situation described in the plans for the development.

Under our current transportation regulation, children living in the Old Stone Ranch development would qualify for busing. The district is currently experiencing a bus driver shortage; however, we will make every effort to ensure busing is available for these students.

Please let me know if you have any additional questions or concerns by contacting me at the district office or via email at stephenss@churchillcsd.com.

Respectfully,

Dr. Summer E. Stephens

Summer E. Stephens, Ed.D.



From: [Dean Patterson](#)
To: [Christian Spross](#); [Diane Moyle](#)
Subject: FW: Old Stone Ranch Subdivision
Date: Wednesday, December 07, 2022 9:04:31 AM
Attachments: [image001.png](#)

NDOW comment on Old Stone PUD

Dean Patterson, Churchill County Public Works, Planning, & Zoning
Off. 775-423-7627 || Dir. 775-428-0256 || planning-ap@churchillcounty.org
155 N. Taylor, Suite 194, Fallon NV 89406

From: Katie Andrlle <kmandrle@ndow.org>
Sent: Monday, December 5, 2022 4:44 PM
To: Rebecca Bernier <rebecca@westexconsulting.com>
Cc: Dean Patterson <DPatterson@churchillcountynv.gov>
Subject: RE: Old Stone Ranch Subdivision

Thanks for reaching gout Rebecca. Due to the proximity to existing development, I don't see any major impacts to wildlife resources. However, there is expected habitat loss from vegetation removal that could be used by many species for nesting, burrowing, migratory movements or seasonally used habitats. Due to the extent of the project, I wanted to ask if the developer/proponent is considering developing a wildlife/habitat mitigation plan to outline potential impacts, and to provide potential offsite mitigation measures as the project is phased in?

I'd be happy to discuss further, please let me know if you would like to schedule a meeting.

Thank you,



Katie Andrlle, Western Region Supervising Habitat Biologist
Nevada Department of Wildlife
1100 Valley Road
Reno, Nevada 89512
(775) 688-1145
kmandrle@ndow.org

Support Nevada's Wildlife...Buy a Hunting and Fishing License

State of Nevada Confidentiality Disclaimer: This message is intended only for the named recipient. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited.

From: Rebecca Bernier <rebecca@westexconsulting.com>

Sent: Monday, November 28, 2022 3:47 PM

To: Katie Andrie <kmandrie@ndow.org>

Cc: Dean Patterson <DPatterson@churchillcountynv.gov>

Subject: Old Stone Ranch Subdivision

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi Katie,

Attached is the Tentative Merger and Resubdivision Map for this PUD we discussed briefly this afternoon. Please reach out with any questions.

Dean Patterson with Churchill County Planning is copied on this email.

Thanks,

Rebecca C. Bernier, P.E.
Civil Department Manager

220 S. Rock Blvd, Ste 12
Reno NV 89502
Office: (775) 384-2898
Cell: (775) 338-2348



NEVADA DIVISION OF
**ENVIRONMENTAL
PROTECTION**

STATE OF NEVADA
Department of Conservation & Natural Resources

Steve Sisolak, *Governor*
Jim Lawrence, *Acting Director*
Greg Lovato, *Administrator*

December 13, 2022

Chris Spross
Public Works Director
155 N. Taylor Street, Suite 194
Fallon, NV 89406

Re: Tentative Map – Old Stone Ranch
209 lots in Churchill County

Dear Mr. Spross:

The Nevada Division of Environmental Protection (NDEP) has reviewed the above referenced subdivision map and recommends approval of said subdivision with respect to water pollution and sewage disposal, provided that Churchill County commits to provide sewage service to said subdivision.

Please note that is the developer of this subdivision will disturb more than one (1) acre, they are required to obtain coverage under NDEP's Construction Stormwater General Permit NVR100000. A Notice of Intent must be filed electronically and submitted with a \$200 fee prior to commencing any earth-disturbing activities at the site. Visit NDEP's Bureau of Water pollution Control website at: http://ndep.nv.gov/bwpc/storm_cont03.htm for more information about this permit.

Sincerely,

April Holt, PE
Technical Services, Compliance, and Enforcement
Bureau of Water Pollution Control

ec: Chris Spross – Churchill County (cspross@churchillcountynv.gov)
Rebecca Bernier – Westex (rebecca@westexconsulting.com)
BCA
NDWR

Control No. 15066

From: [Dean Patterson](#)
To: [Diane Moyle](#); [Christian Spross](#)
Subject: FW: Old Stone Ranch
Date: Wednesday, December 07, 2022 8:53:23 AM

TCID comment on Old Stone PUD

[Dean Patterson, Churchill County Public Works, Planning, & Zoning](#)
Off. 775-423-7627 || Dir. 775-428-0256 || planning-ap@churchillcounty.org
155 N. Taylor, Suite 194, Fallon NV 89406

From: Benjamin Shawcroft <ben@tcid.org>
Sent: Wednesday, December 7, 2022 8:51 AM
To: Dean Patterson <DPatterson@churchillcountynv.gov>
Subject: Old Stone Ranch

It is our understanding that there are applications pending before the Planning Commission for certain permits relating to the development of the Old Stone Ranch PUD. TCID appreciates the efforts made by local officials to find solutions to the strained housing market in this community. We simply request that due consideration be given to the preservation of valuable crop-producing lands and thoughtful land-use policies that conserve and protect our most valuable resource - water. Lastly, we ask that planners and developers take steps to prevent any disruption or obstruction of TCID operations and federal easements.

Respectfully,

Ben Shawcroft
General Manager
Truckee-Carson Irrigation District
PO Box 1356
Fallon NV 89407-1357
775-423-2141
Fax 775-423-5354

From: [Dean Patterson](#)
To: [Christian Spross](#); [Diane Moyle](#)
Subject: FW: [EXTERNAL] confirmation of drain easement status near proposed PUD
Date: Wednesday, December 07, 2022 9:25:06 AM
Attachments: [image002.emz](#)
[image007.png](#)
[image012.emz](#)
[image014.emz](#)
[image001.emz](#)
[image003.png](#)
[image004.emz](#)
[image006.png](#)
[image008.emz](#)
[image009.png](#)

TCID response to BOR email on Old Stone PUD south drain.

[Dean Patterson, Churchill County Public Works, Planning, & Zoning](#)
Off. 775-423-7627 || Dir. 775-428-0256 || planning-ap@churchillcounty.org
155 N. Taylor, Suite 194, Fallon NV 89406

From: Cody Biggs <cody@tcid.org>
Sent: Wednesday, March 9, 2022 12:46 PM
To: 'Ballew, Rena K' <RBallew@usbr.gov>; Dean Patterson <DPatterson@churchillcountynv.gov>; 'Ida Adams x1232' <ida@tcid.org>
Subject: RE: [EXTERNAL] confirmation of drain easement status near proposed PUD

You are right Rena. That drain still carries water from a portion of the Hammond place and from the Ugalde place. It parallels the North side of the property line and ends at the Ugalde place as depicted on your map.

Cody Biggs
Construction & Maintenance Manager
Truckee-Carson Irrigation District

775-427-0964

P.O. Box 1356
2666 Harrigan Road
Fallon, NV 89407

From: Ballew, Rena K [<mailto:RBallew@usbr.gov>]
Sent: Friday, March 04, 2022 7:20 AM
To: Dean Patterson; Ida Adams x1232 (ida@tcid.org); cody
Subject: RE: [EXTERNAL] confirmation of drain easement status near proposed PUD

Dean,

Cody and Ida are off today.

I do remember this conversation and Ida was involved. I kept the emails because I knew it would come up again.

I have attached a revised P&S map. The yellow line is the new easement and the green circle was where the easement was. The easement (yellow) at the sound end of the property has an easement of 100', 50' from the centerline. At some point, the LD Deep Drain was moved which is why I do not have an official map. As far as I know, Ida and Cody check me, the yellow LD Deep Drain is still being used in this location to drain the Lattin field.

The green circle was where the easement was and no longer is. I told the surveyor, to note the yellow line and suggested that the developer stay away from that easement.

Cody/Ida, if I have goofed, please speak up.

If we need to get on a call, I would prefer to have all of us ! Thanks.

Rena Ballew
Resources Division Manager
Bureau of Reclamation
705 N. Plaza St., Ste. 320
Carson City, NV 89701

rballew@usbr.gov

Work – 775-884-8342

Cell – 775-301-7518

From: Dean Patterson <DPatterson@churchillcountynv.gov>

Sent: Thursday, March 3, 2022 3:46 PM

To: Ballew, Rena K <RBallew@usbr.gov>; Ida Adams x1232 (ida@tcid.org) <ida@tcid.org>; cody <cody@tcid.org>

Subject: [EXTERNAL] confirmation of drain easement status near proposed PUD

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Hi all.

We had a hearing on the Old Stone Ranch PUD that is being proposed. At its south end, previous drawings show a drain feature crossing it (see pic). There is little or no physical feature on the ground on-site – nothing distinctly excavated till you reach the south property line. I recall you folks indicating that it actually does not come onto the property, but rather stops at the property line. Yet the adjacent farmers seem pretty convinced that it does come on the property and is used.

Can you please double check so we can tell the neighbors for sure. Thanks.



Dean Patterson, Churchill County Public Works, Planning, & Zoning
Off. 775-423-7627 || Dir. 775-428-0256 || planning-ap@churchillcounty.org
155 N. Taylor, Suite 194, Fallon NV 89406



Virus-free. www.avg.com

From: [Dean Patterson](#)
To: [Christian Spross](#); [Diane Moyle](#)
Subject: FW: [EXTERNAL] Old Stone Ranch TM
Date: Wednesday, December 07, 2022 9:16:26 AM

See below for BOR comment on Old Stone PUD

[Dean Patterson, Churchill County Public Works, Planning, & Zoning](#)
Off. 775-423-7627 || Dir. 775-428-0256 || planning-ap@churchillcounty.org
155 N. Taylor, Suite 194, Fallon NV 89406

From: Rebecca Bernier <rebecca@westexconsulting.com>
Sent: Monday, November 7, 2022 10:51 AM
To: Dean Patterson <DPatterson@churchillcountynv.gov>; Christian Spross <cspross@churchillcounty.org>
Cc: Kim McCreary <mccrearykim777@gmail.com>; Jessica Stanger <fallonrealtyinc@gmail.com>; Daniel McCreary <nevadaremax@yahoo.com>; Mike Railey <mike@christynv.com>
Subject: Fwd: [EXTERNAL] Old Stone Ranch TM

Good Morning Dean and Chris,

Please see email below from Rena regarding the tentative map review by BOR. The 6-9 month approval is related to the application to construct within their easement along with the reduction of easements.

Below is the list of items dropped off first thing this morning:

- 10 copies of the handbook and supporting documents
- 3 full sized maps
- Title Reports with Referenced Documents
- Deeds
- Street Name Applications
- Flash Drive
- Dean's Redlines

Please let us know if we have overlooked anything.

Thanks,

Rebecca C. Bernier, P.E.
Civil Department Manager

220 S. Rock Blvd, Ste 12
Reno NV 89502
Office: (775) 384-2898
Cell: (775) 338-2348

----- Forwarded message -----

From: **Ballew, Rena K** <RBallew@usbr.gov>
Date: Mon, Nov 7, 2022 at 7:46 AM
Subject: RE: [EXTERNAL] Old Stone Ranch TM
To: Rebecca Bernier <rebecca@westexconsulting.com>
Cc: Kim McCreary <mccrearykim777@gmail.com>

Rebecca,

Thanks for sending along the tentative map. The map is as we discussed. Reclamation is willing to work with the Developer to reduce easements and pipe facilities. Reclamation will need 6-9 months to fully review and provide our approval once an application is received.

Hope this is what you needed. Let me know if you have any questions.

Rena Ballew
Resources Division Manager
Bureau of Reclamation
705 N. Plaza St., Ste. 320
Carson City, NV 89701

rballew@usbr.gov

Work – 775-884-8342 (Transfers automatically to cell phone)

Cell – 775-301-7518

From: Rebecca Bernier <rebecca@westexconsulting.com>
Sent: Friday, November 4, 2022 3:21 PM
To: Ballew, Rena K <RBallew@usbr.gov>
Cc: Kim McCreary <mccrearykim777@gmail.com>
Subject: [EXTERNAL] Old Stone Ranch TM

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Hi Rena,

Here is the tentative map for this project. Would it be possible for you to send me a note regarding the overall acceptance of this project pending final approval regarding the actual improvements?

Thanks so much for your help!

Rebecca C. Bernier, P.E.
Civil Department Manager


220 S. Rock Blvd, Ste 12
Reno NV 89502
Office: (775) 384-2898
Cell: (775) 338-2348



RIGHT OF WAY DATA										
Description of Land	Owner or Encumbrance	How Acquired	Name of Conceding Party	When at Right	Date of Preliminary Survey	Index of Preliminary Record	Date of Survey	Index of Survey Record	Stipulations	Remarks
Lot 1	United States	Acquired	U.S. Army	1862	1862	1862	1862	1862	Part of ship and landing in Secs. 34 & 35	
Lot 2	U.S. Army	Acquired	U.S. Army	1862	1862	1862	1862	1862	Part of ship and landing in Secs. 34 & 35	
Lot 3	U.S. Army	Acquired	U.S. Army	1862	1862	1862	1862	1862	Part of ship and landing in Secs. 34 & 35	
Lot 4	U.S. Army	Acquired	U.S. Army	1862	1862	1862	1862	1862	Part of ship and landing in Secs. 34 & 35	
Lot 5	U.S. Army	Acquired	U.S. Army	1862	1862	1862	1862	1862	Part of ship and landing in Secs. 34 & 35	
Lot 6	U.S. Army	Acquired	U.S. Army	1862	1862	1862	1862	1862	Part of ship and landing in Secs. 34 & 35	
Lot 7	U.S. Army	Acquired	U.S. Army	1862	1862	1862	1862	1862	Part of ship and landing in Secs. 34 & 35	
Lot 8	U.S. Army	Acquired	U.S. Army	1862	1862	1862	1862	1862	Part of ship and landing in Secs. 34 & 35	
Lot 9	U.S. Army	Acquired	U.S. Army	1862	1862	1862	1862	1862	Part of ship and landing in Secs. 34 & 35	
Lot 10	U.S. Army	Acquired	U.S. Army	1862	1862	1862	1862	1862	Part of ship and landing in Secs. 34 & 35	
Lot 11	U.S. Army	Acquired	U.S. Army	1862	1862	1862	1862	1862	Part of ship and landing in Secs. 34 & 35	
Lot 12	U.S. Army	Acquired	U.S. Army	1862	1862	1862	1862	1862	Part of ship and landing in Secs. 34 & 35	
Lot 13	U.S. Army	Acquired	U.S. Army	1862	1862	1862	1862	1862	Part of ship and landing in Secs. 34 & 35	
Lot 14	U.S. Army	Acquired	U.S. Army	1862	1862	1862	1862	1862	Part of ship and landing in Secs. 34 & 35	
Lot 15	U.S. Army	Acquired	U.S. Army	1862	1862	1862	1862	1862	Part of ship and landing in Secs. 34 & 35	
Lot 16	U.S. Army	Acquired	U.S. Army	1862	1862	1862	1862	1862	Part of ship and landing in Secs. 34 & 35	
Lot 17	U.S. Army	Acquired	U.S. Army	1862	1862	1862	1862	1862	Part of ship and landing in Secs. 34 & 35	
Lot 18	U.S. Army	Acquired	U.S. Army	1862	1862	1862	1862	1862	Part of ship and landing in Secs. 34 & 35	
Lot 19	U.S. Army	Acquired	U.S. Army	1862	1862	1862	1862	1862	Part of ship and landing in Secs. 34 & 35	
Lot 20	U.S. Army	Acquired	U.S. Army	1862	1862	1862	1862	1862	Part of ship and landing in Secs. 34 & 35	
Lot 21	U.S. Army	Acquired	U.S. Army	1862	1862	1862	1862	1862	Part of ship and landing in Secs. 34 & 35	
Lot 22	U.S. Army	Acquired	U.S. Army	1862	1862	1862	1862	1862	Part of ship and landing in Secs. 34 & 35	
Lot 23	U.S. Army	Acquired	U.S. Army	1862	1862	1862	1862	1862	Part of ship and landing in Secs. 34 & 35	
Lot 24	U.S. Army	Acquired	U.S. Army	1862	1862	1862	1862	1862	Part of ship and landing in Secs. 34 & 35	
Lot 25	U.S. Army	Acquired	U.S. Army	1862	1862	1862	1862	1862	Part of ship and landing in Secs. 34 & 35	
Lot 26	U.S. Army	Acquired	U.S. Army	1862	1862	1862	1862	1862	Part of ship and landing in Secs. 34 & 35	
Lot 27	U.S. Army	Acquired	U.S. Army	1862	1862	1862	1862	1862	Part of ship and landing in Secs. 34 & 35	
Lot 28	U.S. Army	Acquired	U.S. Army	1862	1862	1862	1862	1862	Part of ship and landing in Secs. 34 & 35	
Lot 29	U.S. Army	Acquired	U.S. Army	1862	1862	1862	1862	1862	Part of ship and landing in Secs. 34 & 35	
Lot 30	U.S. Army	Acquired	U.S. Army	1862	1862	1862	1862	1862	Part of ship and landing in Secs. 34 & 35	
Lot 31	U.S. Army	Acquired	U.S. Army	1862	1862	1862	1862	1862	Part of ship and landing in Secs. 34 & 35	
Lot 32	U.S. Army	Acquired	U.S. Army	1862	1862	1862	1862	1862	Part of ship and landing in Secs. 34 & 35	

- Not Maintained
 - Abandoned by Document

U.S.A.S.
Truckee Carson
Property and Structure Map
Section 35
Township 19 North Range 28 East
Scale 1"=400' Sheet 12
Drawn by R.E. Jones
Checked by [illegible]

Churchill County Planning Commission
Attn: Mr. Charlie Arcinega, Chairman
155 N. Taylor, Suite 194
Fallon, NV 89406

Dale White comments

R E C E I V E D

DEC 09 2022

December 9, 2022

Churchill County Public Works,
Planning & Zoning

Dear Mr. Arcinega and members of the Churchill County Planning Commission,

I am writing in response to the proposed Old Stone Ranch PUD that will be on the agenda Wednesday December 14th. Unfortunately I will be unable to attend the meeting in person, however I wished to let you know that I have reviewed with the Planning Department Staff the few changes proposed since the last public meeting in July and my views on the matter have not changed.

I am a homeowner at 2607 Elizabeth Parkway near the end of the road and right next to the PUD under consideration. I also served on the Planning Commission for 4 years back in the mid-1990's.

You may recall I was a speaker at the last meeting and as I stated then, my issues are not really about the developer, but about the County and the enabling ordinances that would allow this type of development in this area to begin with. I believe that at the time the ordinances and the zoning were approved there was too little public input and we need to seriously reconsider the underlying enabling documentation.

This will now be the **third opportunity for public comment.** You may recall at the July meeting before I spoke I asked for a show of hands from the audience to see if anyone was in favor of the development that was not connected with the project. **Not a single hand was raised in support** even though there were 60-70 people in attendance. I think that should speak for itself. If the Planning Commission approves this as presented and forwards to the Commissioners you are doing the residents a great disservice. I ask you to please shut this down and NOT approve this until serious reconsideration is given to changing this from a PUD back to a simple subdivision with standards appropriate to an E1 zoning district.

Here is my summary of the major challenges:

1) Density.

Multiple residents have testified that 600+ homes for the 100 acres in this location is simply too many. Density leads to neighbors too close to one another which promotes conflict and leads to increased law enforcement needs. People get too stressed living close to one another. Think about why people move out of cities and into the rural areas when they retire. Other issues related to density will be addressed below. I would support a maximum of 500 homes for this acreage.

2) Traffic Concerns.

Again – a vast majority of residents are concerned with traffic congestion and related safety issues on both Casey Rd and Birch Lane. You have heard multiple testimonies opposing the increased traffic. Most families have two cars and many have three or more. That means for 600+ homes we would expect 1200 to 1800 additional vehicles using the roadways multiple times per day. If we first address density, some of the traffic concerns will be alleviated. A second request is that you **do not allow a connecting road between Casey Road and Birch Lane.** Require instead two U-shaped access roads that separate the north and south ends of the development so that there are two approaches from Casey and two approaches from Birch Lane. That way the amount of potential traffic on either road is cut substantially. In addition do NOT make connections to Eagle Rock and Elizabeth Parkway, but make this a stand alone residential area. This will also allow for better traffic flow to Casey Rd. as well as enforcement of HOA rules.

3) NO RENTAL APARTMENTS!!

Dale White comments p2

This is a huge issue for most area residents. This is not the right neighborhood for apartments. Period. The City of Fallon has numerous lots identified and available for building apartments. If there was truly the demand for them as we would be led to believe, these lots would be selling and the apartments would be being built. The County should not support this kind of housing in this area. The closest I could come to supporting apartments would be if someone bought the Casey Road trailer park and the adjoining field next to Walmart and built some there. Rental apartments bring with them all the concerns regarding density, increased crime/law enforcement, potential for trash, and maintenance concerns and on and on.

Although I am opposed to MDU's in general, I would reluctantly support the building of the townhouses as long as the overall density and traffic concerns are addressed. I support townhouses because they are typically owner-occupied and better cared for. In fact the HOA should impose restrictions on Townhouses being sublet or leased as rental properties. Each town-home should be equipped with a minimum of a two-car garage per home and fully paved driveways adjoining curb and gutter sidewalks. No more than 4 homes to a single building complex.

4) Concerns with common and open areas – alternatives proposed.

Although parks and open areas are nice in the beginning, I am greatly concerned that the County does not have the capacity to maintain them in the long term and that over time these areas would become run down and unsightly and potentially become another area for crime.

Instead of parks, I recommend that extra lots be set aside and designated for potential development of churches, schools, and/or recreational buildings that could support 50-75 parking places and an overall building capacity of no more than 150 people suitable for a neighborhood of this size.

Conclusion

In conclusion I am asking that the Planning Commission reject the PUD as proposed and re-address these concerns that I and the vast majority of residents have raised in opposition to this proposal.

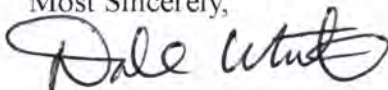
I ask that these comments either be read into the record, or summarized and attached to the minutes of the meeting. I have no objection to additional copies being made for general distribution at the meeting.

I would welcome the opportunity to discuss my concerns in greater detail and meet with you or the developer, the planning staff, or any others as needed to facilitate a resolution that will satisfy the residents.

Thank you !!

I mentioned this at the meeting in July and I repeat it here. I do very much appreciate the service that you and your fellow Planning Commission members provide. Thank you for serving the people of Churchill County and facilitating the democratic process in our government. I also greatly appreciate the planning staff. We are making better progress at avoiding "patchwork" planning like we had in the 1990's, but we still have a long way to go to truly develop a sustainable plan for growth over the next 20+ years.

Most Sincerely,



Dale White
with copies for the Commissioners



NEVADA DIVISION OF
**ENVIRONMENTAL
PROTECTION**

STATE OF NEVADA
Department of Conservation & Natural Resources

Steve Sisolak, *Governor*
Jim Lawrence, *Acting Director*
Greg Lovato, *Administrator*

December 13, 2022

Chris Spross
Public Works Director
155 N. Taylor Street, Suite 194
Fallon, NV 89406

Re: Tentative Map – Old Stone Ranch
209 lots in Churchill County

Dear Mr. Spross:

The Nevada Division of Environmental Protection (NDEP) has reviewed the above referenced subdivision map and recommends approval of said subdivision with respect to water pollution and sewage disposal, provided that Churchill County commits to provide sewage service to said subdivision.

Please note that is the developer of this subdivision will disturb more than one (1) acre, they are required to obtain coverage under NDEP's Construction Stormwater General Permit NVR100000. A Notice of Intent must be filed electronically and submitted with a \$200 fee prior to commencing any earth-disturbing activities at the site. Visit NDEP's Bureau of Water pollution Control website at: http://ndep.nv.gov/bwpc/storm_cont03.htm for more information about this permit.

Sincerely,

April Holt, PE
Technical Services, Compliance, and Enforcement
Bureau of Water Pollution Control

ec: Chris Spross – Churchill County (cspross@churchillcountynv.gov)
Rebecca Bernier – Westex (rebecca@westexconsulting.com)
BCA
NDWR

Control No. 15066

Riverstone Apartments

TSM / SUP / Variance Applications

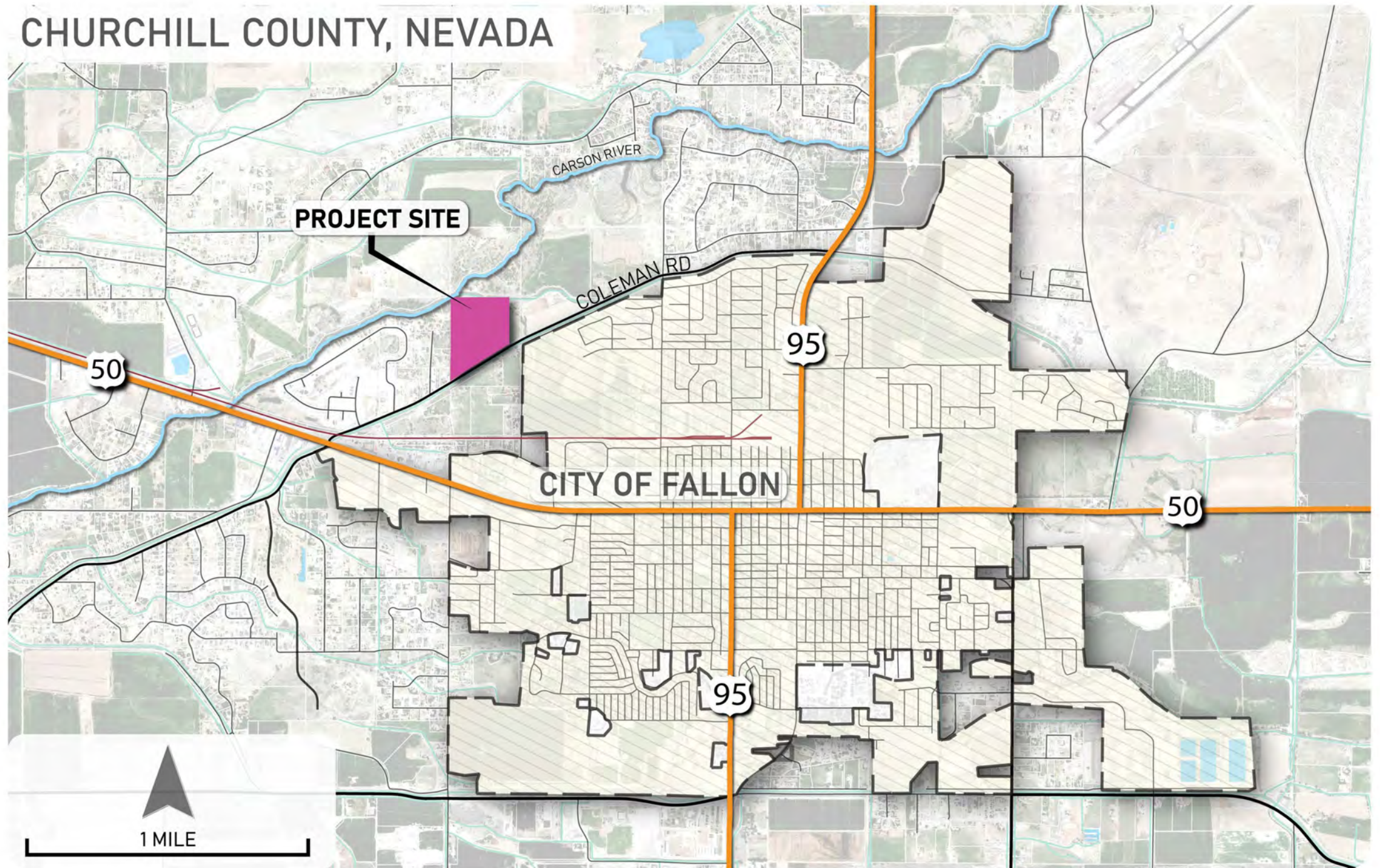
December 14, 2022



RIVERSTONE CONCEPT PLAN CHURCHILL COUNTY, NV

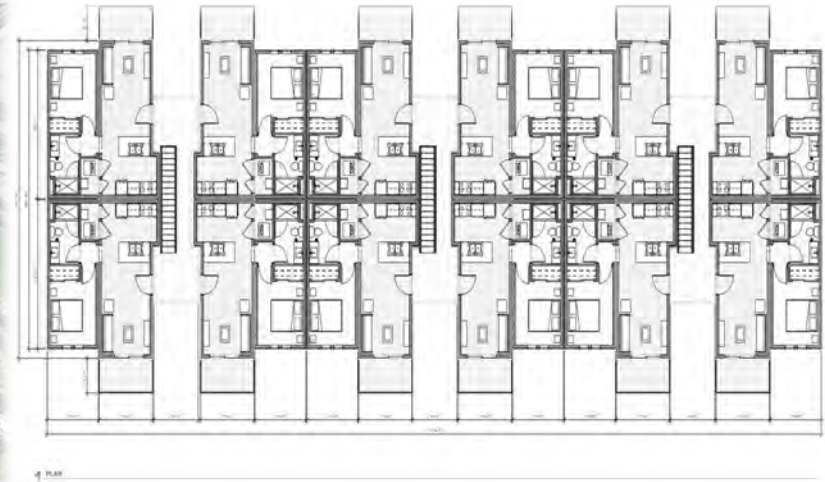


CHURCHILL COUNTY, NEVADA



Topics for Presentation

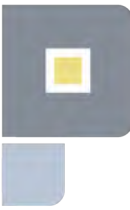
- o Response to RFP from County
- o Overview of development
- o Special Use Application
- o Tentative Map and Variances
- o Traffic Summary
- o Conclusions



Response to RFP



Chosen by County on December 5, 2021 to help County fulfill for *“development of multi-family units to satisfy the strong need for this type of housing.”*



Submittals 11.11.22

RIVERSTONE

TENTATIVE MAP



Prepared for:

Vertex Fund 3, LLC
Matt Hurley, Manager
3522 Emerson St.
Englewood, CO 80113-3921

Prepared by:

Phelps Engineering Services Inc.
10651 Professional Circle
Suite A
Reno, Nevada 89521

November 11, 2022

Job Number: 21604

RIVERSTONE

SPECIAL USE PERMIT



Prepared for:

Vertex Fund 3, LLC
Matt Hurley, Manager
3522 Emerson St.
Englewood, CO 80113-3921

Prepared by:

Phelps Engineering Services Inc.
10651 Professional Circle
Suite A
Reno, Nevada 89521

November 11, 2022

Job Number: 21604

RIVERSTONE

VARIANCE APPLICATION



Prepared for:

Vertex Fund 3, LLC
Matt Hurley, Manager
3522 Emerson St.
Englewood, CO 80113-3921

Prepared by:

Phelps Engineering Services Inc.
10651 Professional Circle
Suite A
Reno, Nevada 89521

November 11, 2022

Job Number: 21604

Submittal for Tentative Map, Special Use Permit and
Variance applications submitted on November 11, 2022.

Subdivision Overview

- o 31.4-acre parcel rezoned to R3 by the County.
 - o July 2022
- o Bus stops on site
- o Nine site amenities (1 / 50 units)
- o Enhanced Landscaping
- o Moody Lane connector
- o Dedicated parcel for Take-out



Dedicated Open space for Take-out At Carson River.

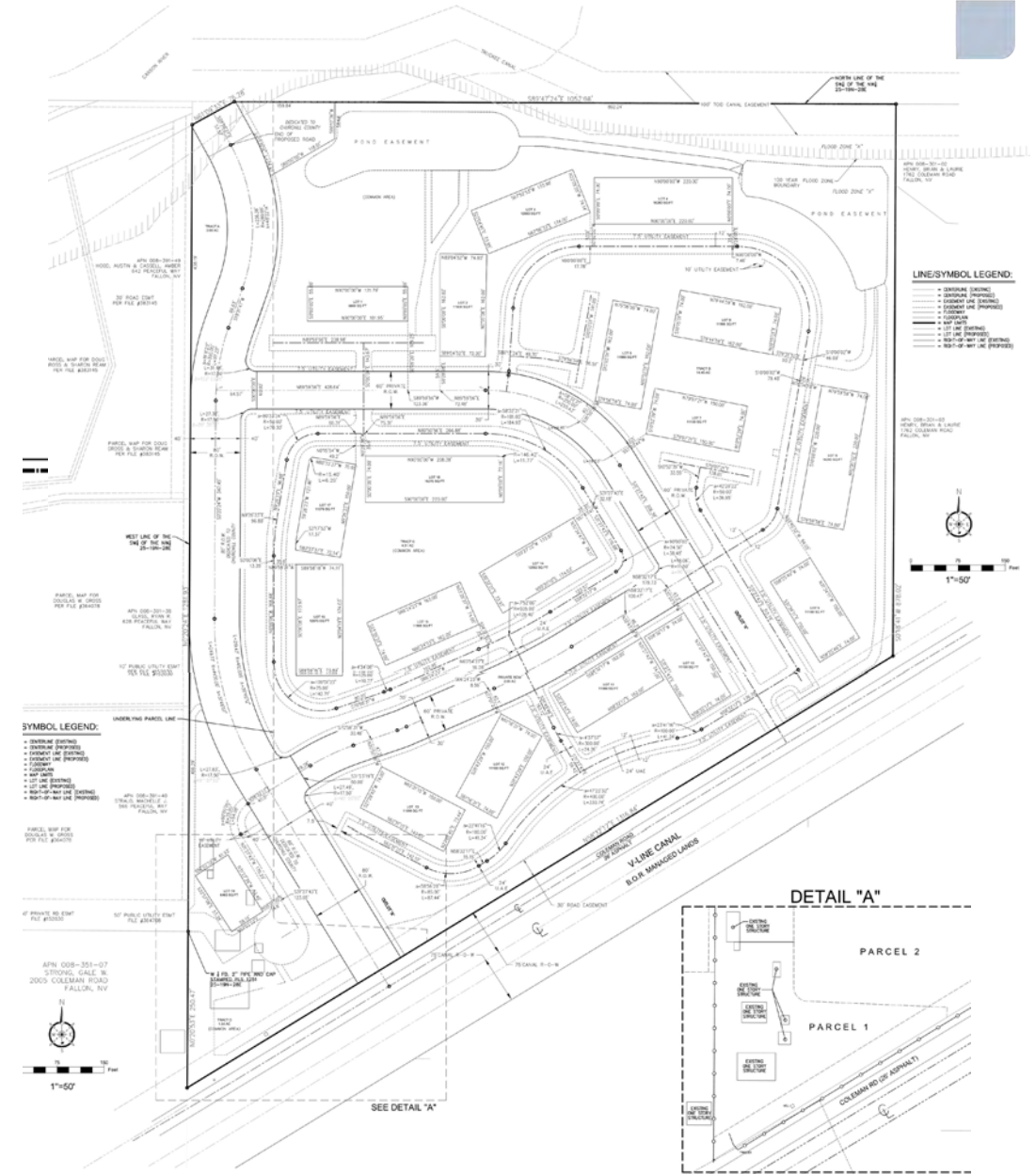
Staff recommends:

1. Approximately 2/3 acre of land
2. All-weather Restroom building
3. Paved parking with Approximately 20 spaces
 1. With security lighting and ADA parking
4. ADA Trail to River



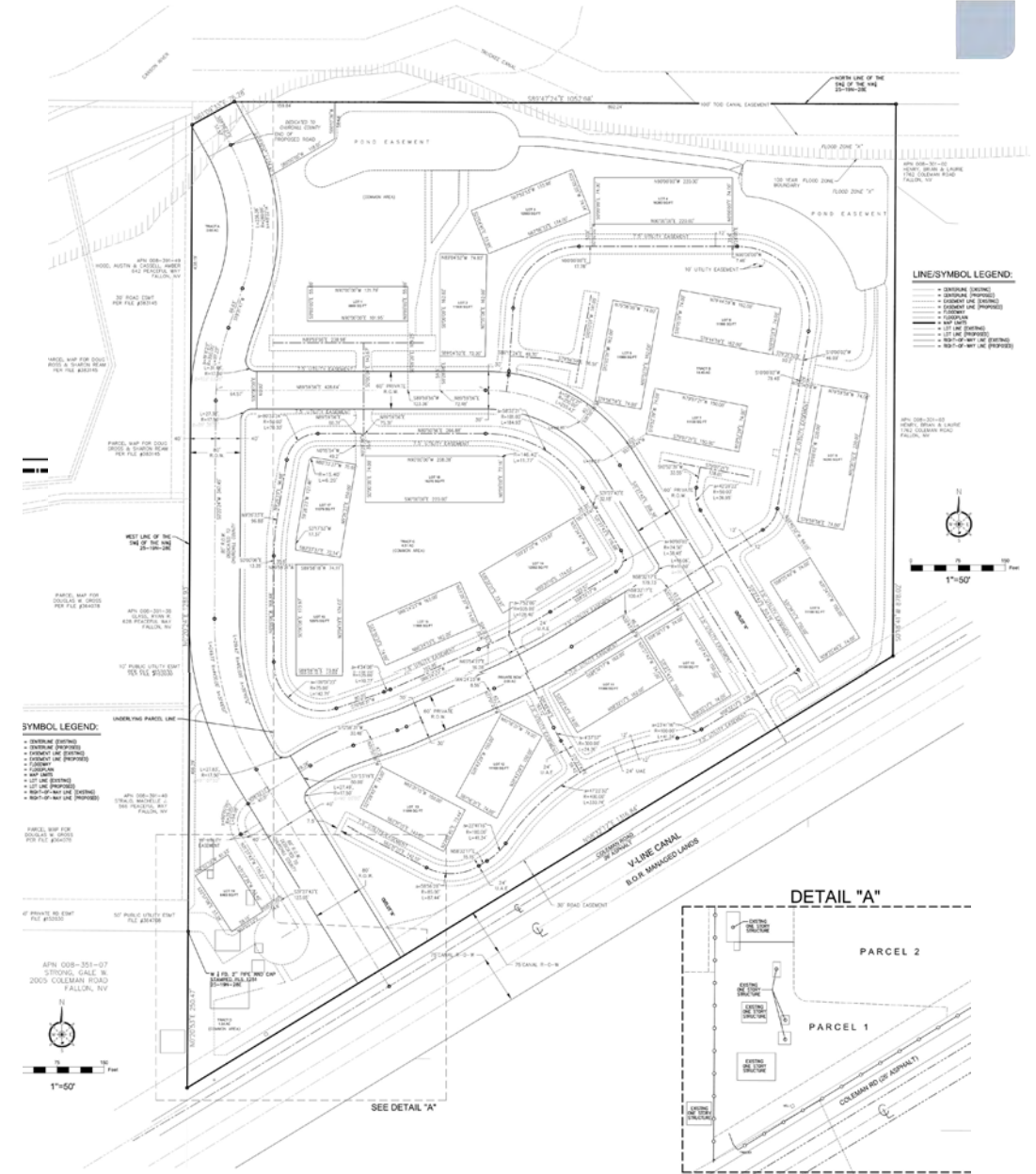
Special Use Permit

- o County Code allows for Multi-family in R-3 Zones.
- o All multifamily to be reviewed through a Special Use Permit.



Tentative Map and Variance

- o Individual lot per building
 - o HOA maintains lots and common area/ open space, roadways and drainage retention
 - o Some lenders require this for financing
- o Maintain surrounding land between buildings to preserve uniformity HOA ownership ensures
- o **Variance** Due to dwelling units and setbacks



Typical Lot with Bldg. Footprint

R3 zoning requires setback and minimum lot sizing as follows:

SITE DEVELOPMENT STANDARDS

Zoning District	Area And Density		Site Dimension Standards				Minimum Setbacks (Ft.)		
	Minimum Parcel Area *	Maximum Residential Density †	Minimum Lot Width (Ft.)	Minimum Average Lot Width (Ft.)	Minimum Distance Between Dwellings (Ft.)	Maximum Height (Ft.)	Front ‡	Side ¶	Rear **
A-S *	5 acres	1 per 5 acres	150	200	60	35	30	25	40
A-10 *	10 acres	1 per 10 acres	200	300	60	35	30	30	40
E-1 ***	1 acre	2 per acre	60-80 †	100-80 †	20	35	30	10	20
R-1 ***	7,000 sq. ft.	5 per acre	60-80 †	100-80 †	10	35	20	0	20
	Corner lots 2,500 sq. ft.	5 per acre	75	n/a	10	35	20	6	20
R-2 ***	5,000 sq. ft.	10 per acre	50-80 †	60-80 †	10	35	20	5	20
R-3 ***	8,000 sq. ft.	16 per acre	50	60	20	35	20	20	20
RR-20	20 acres	1 per 20 acres	500	600	60	35	30	30	40
C-1 ***	1 acre †	n/a – except for PUDs	80-30 †	100	n/a	35	30 †	n/a	10-20 †
C-2 ***	1 acre †	n/a – except for PUDs	80-30 †	100	n/a	45	30 †	n/a	20
I-1 ***	1 acre †	n/a – except for PUDs	80	100	n/a	65	40	20 †	30

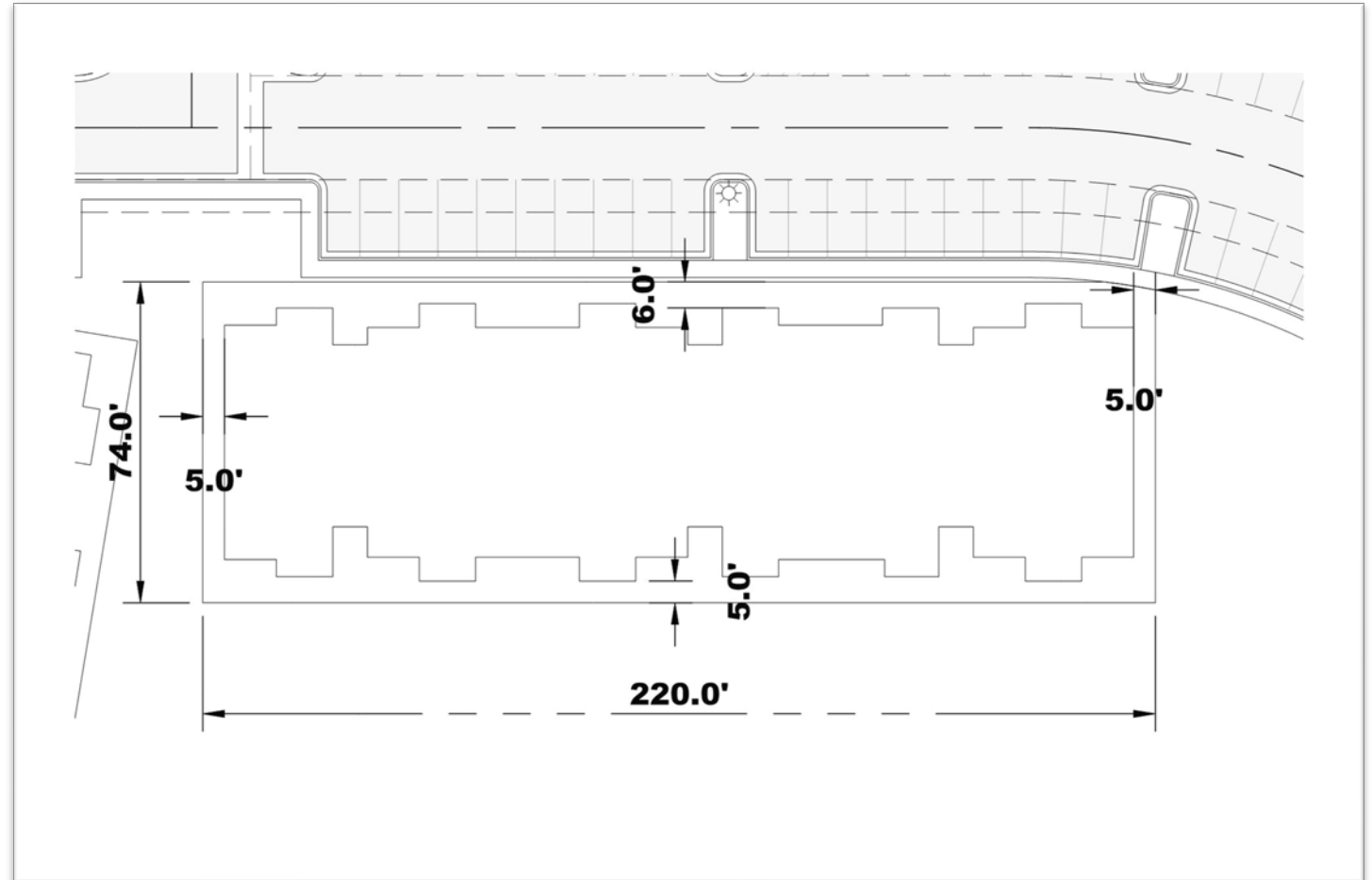
NOTES:

* For non-PUD land divisions, the area of road easement or right-of-way may contribute to meeting the minimum parcel area requirement for parcels of 1 acre or more, and shall be excluded for parcels of less than 1 acre.

** A detached accessory building may occupy not more than 1/2 of the total area of a rear yard. No such accessory building shall be nearer than 5 feet to the rear and side of the property line nor closer to main buildings on the same or adjacent lots.

*** Lot size, density, and dimensional standards for planned unit developments will be established during approval of the project, and where not established shall be determined by the building official and Director at the time of issuance of a building permit.

† To determine whether various residential structures are allowed in a zone, refer to the use table in CCC 16.08.250. The maximum residential density for single family dwellings on existing parcels is 1 per parcel except as allowed elsewhere in this title, such as for accessory dwellings.



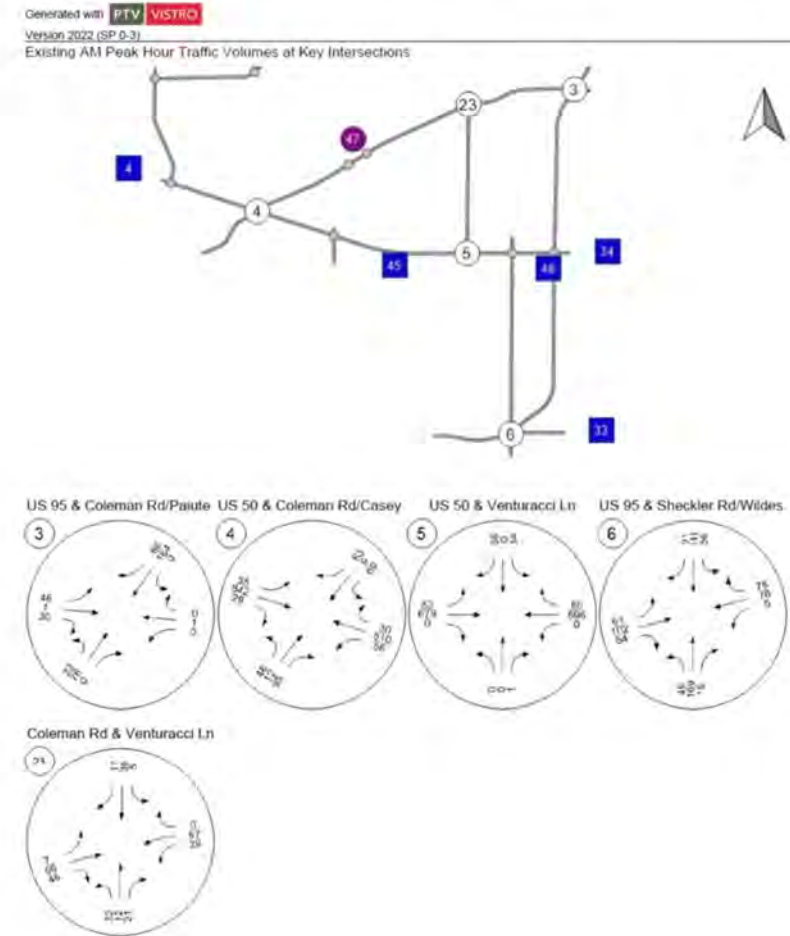
- o Typical lot size is approximately 16,000 SF
- o Typical setback is approximately 5ft.

Traffic Summary

TRAFFIC Study RECOMMENDATIONS

- o Moody Lane extension required for access to site
- o Auxiliary lanes at Moody Lane/Coleman Road are proposed
- o Capacity at Coleman Road at build-out will be 35% - Maximum capacity is 18,000

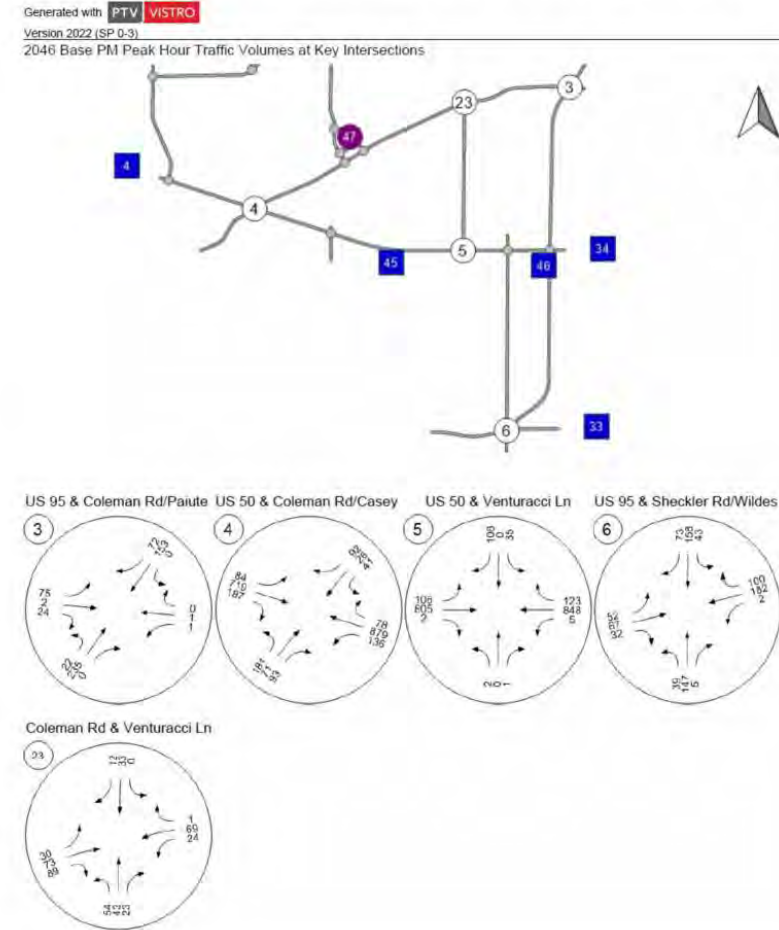
Figure 5a: Existing AM Peak Hour Traffic Volumes at Key Intersections



Traffic Summary cont.

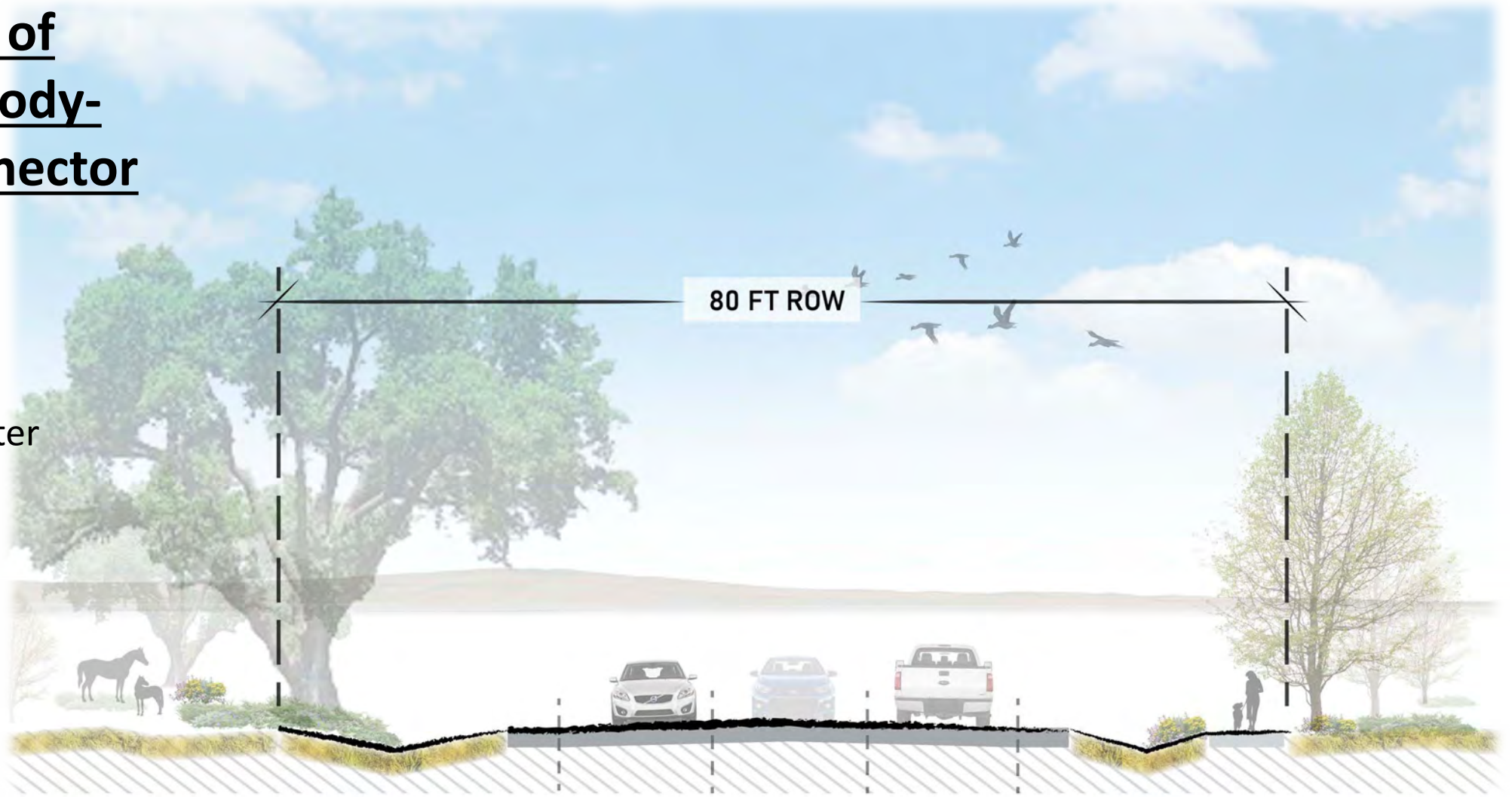
- o Coleman and US 50 Intersection current LOS C
- o Service Level D (LOS) when built out in 2026 due to background traffic. NDOT minimum.
 - o Left Hand Permissive Turn at Hwy. 50 will increase to LOS C
 - o Reduces Queue
 - o Maintains LOS C
- o Project doesn't change LOS at Intersection
- o Coordinate with NDOT / County on any improvements at intersections

Figure 7b: 2046 Base PM Peak Hour Traffic Volumes at Key Intersections



Cross Section of Proposed Moody- Coleman connector Road

- o 80 ft. ROW
- o No curb and gutter
- o Middle lane
- o Swales
- o Multi-Use Trail



MOODY - COLEMAN CONNECTOR TYPICAL SECTION

Riverstone Apartments

TSM / SUP / Variance Applications

December 14, 2022



Conclusion

- o Provides needed housing
- o Fulfills County Goals
- o North – South Moody – Coleman connector
- o County access to Carson River Take Out – Approximately .75 acres
- o Ownership parcel with vote in HOA
- o The improvements will maintain safe operations on Coleman Road.



Churchill County School District

Everyone Always Learning...

Dr. Summer Stephens, Superintendent
Derild Parsons, Director of Learning & Innovation

October 18, 2022

Churchill County Planning Commission
155 North Taylor Street
Fallon, NV 89406

Dear Commission Members,

Thank you for the opportunity to share the Churchill County School District's perspective for the transportation needs of potential students living at the Riverstone Apartment Complex off of Coleman Road. Based on a conversation with Dean Patterson on October 17, 2022 and a review of the plans, we have the following suggestions as the development progresses in design and development.

- 1) The buses for ChurchillCSD will most likely enter off of Coleman Road into the subdivision and turn right onto Street B. The district would like to recommend that there be a bus turnout area on Street B (near Lots 16 and 17) and on Street A near Lots 5 and 7). The requested turnouts provide the safest opportunity to load and unload the number of students that might be utilizing the buses at these locations.
- 2) The district requests that crosswalks be planned and marked at intersections of Street A and Street B (one across from the clubhouse (Lot 1), into the parking lots for Lots 5, 6, and 7 units, the corner of Streets A and B, and at the intersection on Street B between Lot 63 and Lot 12 (as a minimum). This will provide the best opportunity for children living in this complex to cross the streets when needed to board a bus.

When considering bus stop locations, the district will take into account the number of riders from each of the units in the complex once established. The goal of the district is to avoid backing, turning around, and finally stopping on roadways when possible. Most parking lots do not have the space needed in their design for buses to safely navigate, so use of the roadway and bus pull-off areas is the best in the situation described in the plans for the development.

Under our current transportation regulation, children living in the Riverstone Apartment Complex off of Coleman Road would qualify for busing. The district is currently experiencing a bus driver shortage; however, we will make every effort to ensure busing is available for these students.

Please let me know if you have any additional questions or concerns by contacting me at the district office or via email at stephenss@churchillcsd.com.

Respectfully,

Summer E. Stephens, Ed.D.



From: [Dean Patterson](#)
To: [Diane Moyle](#); [Christian Spross](#)
Subject: FW: Riverstone
Date: Wednesday, December 07, 2022 8:52:55 AM

TCID Comment on Riverstone apartments

[Dean Patterson, Churchill County Public Works, Planning, & Zoning](#)
Off. 775-423-7627 || Dir. 775-428-0256 || planning-ap@churchillcounty.org
155 N. Taylor, Suite 194, Fallon NV 89406

From: Benjamin Shawcroft <ben@tcid.org>
Sent: Wednesday, December 7, 2022 8:51 AM
To: Dean Patterson <DPatterson@churchillcountynv.gov>
Subject: Riverstone

It is our understanding that there are applications pending before the Planning Commission for certain permits relating to the development of the Riverstone apartment complex on Coleman Rd. TCID appreciates the efforts made by local officials to find solutions to the strained housing market in this community. We simply request that due consideration be given to the preservation of valuable crop-producing lands and thoughtful land-use policies that conserve and protect our most valuable resource - water. Lastly, we ask that planners and developers take steps to prevent any disruption or obstruction of TCID operations and federal easements.

Respectfully,

Ben Shawcroft
General Manager
Truckee-Carson Irrigation District
PO Box 1356
Fallon NV 89407-1357
775-423-2141
Fax 775-423-5354

From: [Benjamin Elzner](#)
To: [Planning](#)
Subject: Riverstone Concept Plan concern
Date: Sunday, December 04, 2022 2:46:42 PM

To Mr. Spross & Planning Department,

I am writing to express my concerns regarding the proposed apartment complex development of which I was notified by your 29 November letter. The reason for my concern is primarily one of pedestrian safety. Coleman Road is already dangerous for pedestrians, with no lighting, no sidewalks, and an uneven gravel shoulder. Adding high density, low income housing is going to make the situation far more dire, and will absolutely result in pedestrian deaths if mitigations are not put in place. Namely, the installation of a sidewalk for pedestrians along Coleman road from the new proposed housing to the intersection with Lincoln highway, along with the installation of lighting to improve visibility for both drivers and pedestrians. Additionally, a second walkway between the new development and Venturacci should be considered, along with potentially a pedestrian bridge over the canal connecting to Regan Pl. Finally, the speed limit along Coleman should be reduced to 25 MPH between Lincoln and Venturacci once the development has finished construction. I cannot stress enough that without these measures in place, pedestrians will eventually be killed on Coleman road.

Happy to answer any questions you may have. I am unable to make the meeting on the 14th, but trust my concerns will be considered by you and your team.

Warmest Regards,
Benjamin Elzner
2044 Verona Dr
Fallon, NV 89406
775-426-3986

December 14th, 2022

To the Churchill County Planning Commission:

We strongly oppose the approval of a special use permit allowing the construction of a multi-family development on Coleman Road.

We have heard the developer is proposing to build 400 apartment units. After doing some online research we found the following references. According to the National Apartment Association in 2021 the national average parking ratio for apartment properties with 50 or more units was 1.46 per unit (1). And in Henderson, NV, 1.5 spaces per unit is required(2). Therefore, if the developer is planning to construct 400 apartments, one can easily determine that full occupancy would add as many as 600 more vehicles onto Coleman road every day. And making matters worse, we can't even imagine what that number becomes when the proposed extension of Moody Ln to Coleman is completed.

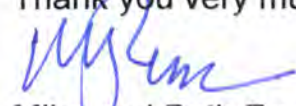
Coleman Road is hazardous to drive, particularly at night, because there are no lights, there is no lane striping, people routinely exceed the posted speed limit, and very little shoulder space is available to avoid the V Line canal and irrigation ditches that border the road. We have encountered oncoming cars using the middle of the road causing us to take evasive action to avoid an accident.

We also ride our bikes a lot during the summer and use Coleman Road to get to the less traveled roads in and around Fallon. Cars routinely disregard the law when approaching and passing bike riders or pedestrians, coming very close to running the bikes off the road or worse.

The way we see it, with all the added vehicles the only way to make Coleman Road safer for cars, trucks of all sizes, pedestrians, and bicycles is to widen Coleman and provide bike lanes that people can use to walk, push strollers, or ride bikes to and from town. If this can not be accomplished by the county or developer, and they can not provide for the safety of those who drive, ride or walk, then we unequivocally say to the Planning Commission, do not approve this special use permit.

As a community we should strive to do more than the minimum standard to ensure the safety of its citizens. It is the obligation of the Planning Commission to approve projects that will benefit the entire community. It is all of us who are left to deal with the unintended consequences of short sighted planning.

Thank you very much!



Mike and Beth Reese
2182 Verona Dr.
Fallon

Footnotes:

1. National Apartment Association (NAA) in March of 2021:

The national average in parking ratios for apartment properties with 50 or more units peaked at 1.62 per unit in the 2000s before declining to 1.46 per unit in the current decade, its lowest rate since the 1960s.

2. Ordinance No. 3530 (ZOA-18-001462, Use Regulations) Henderson, NV

Multifamily residential incorporated as part of a vertically-oriented structure shall provide a minimum of 1.5 spaces per dwelling unit.

Questions:

Will a comprehensive traffic study of Coleman Road, that includes the estimated number of additional vehicles and the coexistence of trucks, cars, bikes and pedestrians, be completed prior to the approval of this permit?

When the traffic study is completed, will the county require the developer to make the recommended improvements to Coleman Rd, prior to approving this permit?

CHURCHILL COUNTY PLANNING COMMISSION MEETING

155 North Taylor Street, Commission Chambers

December 14, 2022 at 7:00 p.m.

Name	For Which Agenda Item	Contact Info
JAMES STERLING	COLEMAN RD.	775-515-5087
GARY SMITH	COLEMAN RD.	775-750-3739
Don Averill	1420 Dixie	775 699 3780
Tom Bonner	Dallas Dr	775 428 1550
Bill & Jo Harmon	Pine Rd	775 423 3571
Chris Balhoff	SAFETY-KLEEN	832-865-4589
Jerry Giovanetti	—	775-221-1645
Ron Giovanetti	—	775 847-2006
Zip Upham	—	775 427-1477
Rae Brown	—	—
Don Miller	—	775-773-5725
Jesse Hernandez	Wade	775-427-5920
Jackie Ugalde	Birch Ln.	—
Meg Rudge	Omaha Track	775 217-2124
Lindy Ludhope	Riverstone Dev	909 996-8841
Terry Sterling for Mike Reese	Coleman Dr.	775-232-7811
Brett Cassell	COUNTRY RIVER	775-427-1157
Robin Schofield	—	—
Tom Higgins	Coleman Rd	775-867-3788
Jo Pettemti	Fallon Post	—
D McCreary	Birch	775-745-9106
J Stanger	Birch	775-745-6601
K McCreary	Birch	745-9056
Glen & Machele Strabo	~~Peaceful Way~~ ~~Coleman Rd~~	775-232-1130-725
ERIC & CYNDI DILLON	COLEMAN RD	775-741-2605

PLEASE PRINT YOUR INFORMATION

CHURCHILL COUNTY PLANNING COMMISSION MEETING
155 North Taylor Street, Commission Chambers
December 14, 2022 at 7:00 p.m.

[illegible]

PLEASE PRINT YOUR INFORMATION