



Meeting Date: 10/18/2017
Agenda Item: #

Mission Statement

To provide our growing dynamic community excellent municipal services to make Fernley a great place to live, work, and play. Together, we enhance the desirability, safety, friendliness, aesthetics and quality of life in our city.

CITY OF FERNLEY CITY COUNCIL MEETING STAFF REPORT

REPORT TO: Mayor & City Council

REPORT THRU: Daphne Hooper, City Manager

REPORT BY: Tim Thompson, Planning Director
Melinda Bauer, Assistant Planner

REVIEWED BY: Brandi Jensen, City Attorney

REVIEWED BY: Denise Lewis, City Treasurer

AGENDA ITEM: **SUP 2017-001, Public Hearing** – Consideration and possible action on a Special Use Permit request from Nevada Pacific LLC, for a mini storage facility use on a site 4.76 acres in size in the C-2 (General Commercial) zoning district, generally located south of US Route Alt 50, north of Emigrant Way, west of Short Cut Lane and east of Nevada Pacific Blvd., Fernley, NV. (APN: 021-201-47).

ACTION REQUESTED: ___Consent ___Ordinance ___Resolution X Motion ___Receive/File

RECOMMENDATION:

“I move to approve the Special Use Permit associated with SUP 2017-001, to allow for a mini storage facility adopting Findings (A) through (G) and the facts supporting these Findings as set forth in the staff report and subject to the Conditions of Approval 1 through 18.”

Key Points:

1. The property is currently zoned C-2 (General Commercial) with a land use designation of Commercial. Mini storage is an allowed use with an approved Special Use Permit in the C-2 zoning district.
2. City water and sewer services are available.
3. Access to the project will be from the existing paved on-site access, from Nevada Pacific Boulevard either via the roundabout or the right in/right out access at the service station and from US 50A via the existing right in only access.
4. The proposed storage project will be designed in a “fortress” style to allow for the use of the exterior walls (to be masonry) as the screening walls required by code.

POLICY REFERENCE:

Nevada Statutes: NRS 278.315

Fernley Municipal Code: FMC TITLE 9 & 10

Policies & Procedure Manual: N/A

Community Assessment: N/A

Fernley Development Code: Chapter 21 & 28.070.030 Mini-storage facility

Other:

ANALYSIS:

The project proposal is to allow for an enclosed mini storage, office/residence and associated site improvements on a 4.76 acre portion of APN: 021-201-47.

The proposed project is consistent with the city’s master plan and is required to comply with the requirements of the development code. The property is currently zoned C-2 (General Commercial) with a land use designation of Commercial.

The site will be served by the municipal water and sewer utilities. The developer is required to dedicate sufficient water to adequately serve the development.

Access to the project will be from the existing paved on-site access, from Nevada Pacific Boulevard either via the roundabout or the right in/right out access at the service station, and from US 50A via the existing right in only access.

The application was distributed to the public works department, city engineer, and local fire district for comment. The North Lyon County Fire Maintenance District provides fire and EMS services and the Lyon County Sheriff provides law enforcement within the city.

In reviewing the original application submittal, staff noted several deficiencies. The architectural elevations were deemed to be inadequate. It was difficult to consider potential visual impacts to adjacent properties because the wall and fence heights were not legible. Staff also commented that any proposed elevations take into consideration similar materials and architectural elements used on other commercial buildings in the vicinity to promote continuity. The applicant submitted revised elevations which are attached to this staff report. Because the facility is located adjacent to residential development, staff believes any proposed colors be earth tone to better blend the project into the surrounding environment. Bright colors are discouraged. Proposed materials, including but not limited to the metal roof, shall also be non-reflective.

In addition, Staff asked the applicant to provide a cross section which included the single-family homes to the south, buffer area, and storage buildings. The city’s code requires a minimum 20-foot side and rear yard setback for commercial developments adjacent to residential properties. While this requirement sites the buildings away from the residential development and creates a buffer, there is also a concern about this area becoming a “no-man’s land.” It is important to ensure this buffer area remains free of debris, can be easily maintained, and does not create an undesirable situation for both the commercial and residential developments. The applicant is

required to submit a landscape plan for the review and approval by the administrator prior to the issuance of a building permit. The landscape plan shall include adequate access to the retention basin, landscape and buffer areas for maintenance purposes.

It's also worth noting the original application included taller buildings to accommodate recreational vehicle storage along the southern portion of the project. Because this could have created visual impacts to the adjacent residential development, staff suggested the applicant consider amending the site plan to move the taller storage buildings into the center of the development. The applicant did submit a revised site plan that incorporated this suggestion.

Rather than install an 8-foot tall masonry wall along the southern property line adjacent to the existing wood fence, the design of the project proposes to use masonry walls for the storage buildings around the perimeter. It's not uncommon for projects such as this have a tall perimeter wall with all storage buildings being constructed entirely of metal. This proposal seems reasonable and appears to minimize any visual impacts to the existing adjacent residential development.

The perimeter wall has an adjacent landscape planter to help soften the appearance of the wall and to help deter graffiti.

Along the west side of the project, staff is requiring the applicant install an open view decorative metal fence. This will inhibit access to the retention basin and allow for an unobstructed view of the buffer area discussed previously.

There are no proposed limitations on the hours of operation for the facility. The design of the facility and the on-site caretaker should serve to minimize any concern related to hours of operation.

Public notice was given and a public hearing was scheduled per the requirements of the Fernley Development Code and Nevada Revised Statutes, no written comments have been received.

The application as submitted and conditioned mitigates potential impacts and is consistent with the city's development code. Staff can make all the applicable finding and recommends the City Council approve the request.

PROJECT SUMMARY:

Project Name	Nevada Pacific LLC Mini Storage
Site Location	South of US Route Alt 50, north of Emigrant Way, west of Short Cut Lane and east of Nevada Pacific Blvd.
APNs	021-201-47
Applicant	Nevada Pacific LLC
Owner	Nevada Pacific LLC
Proposed Actions	Special Use Permit, SUP 2017-001
Planning Area	Central Fernley
Land Use Classification	Commercial
Current Zoning	C-2
Flood Zone Designation	Per FIRM map # 32019C0105E, dated January 16, 2009, it appears that this property is located in Zone X.
Gross Site Area	11.94

Surrounding Properties and Uses:	Current Zoning District	Comprehensive Plan Land Use Classification
West Developed and undeveloped Commercial	C-2	Commercial
North Undeveloped Commercial	C-2	Commercial
East Developed Residential	NR-1	Residential High Density
South Developed Residential	NR-1	Residential High Density

FINDINGS

Special Use Permit

The City Development Code Chapter 21.060 establishes the findings the Planning Commission shall make to recommend approval or denial to the City Council for this Special Use Permit. All findings shall be made to recommend approval to the City Council. The findings and staff's evaluation are outlined below:

Findings		Staff Analysis
A.	The proposed use at the specified location is consistent with the applicable zoning district.	The proposed mini storage is an allowed use with an approved Special Use Permit in the C2 zoning district.
B.	The proposed use is compatible with and preserves the character and integrity of adjacent development and neighborhoods and includes improvements or modifications either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods. These improvements or modifications may include, but shall not be limited to the placement or orientation of buildings and entryways, parking areas, buffer yards, and the addition of landscaping, walls, or both, to mitigate such impacts.	The mini-storage use will complement the existing service station at the southeast corner of US 50A and Nevada Pacific Blvd in that mini storage patrons can also utilize the service station for boat, RV and truck fueling on the same property as the proposed storage, a portion of which will be intended for boat and RV storage. The proposed project will provide a buffer between the adjacent residential neighborhood to the south and possible future commercial uses developed on the remaining undeveloped property.
C.	The proposed use incorporates roadway improvements, traffic control devices, or mechanisms, or access restrictions to control traffic flow or divert traffic as needed to reduce or	The proposed project will utilize existing roadway improvements and ingress/egress facilities to the property. These improvements were constructed with the existing C-2 zoning in mind. The low level of expected traffic impacts (27 Peak Hour Trips, 0.26 per 1000 SF per ITE Manual) will not adversely affect

	eliminate development impacts on surrounding neighborhood streets.	existing improvements. With the further development of the C-2 Commercial property, further traffic studies will be expected.
D.	The proposed use incorporates features to minimize adverse effects, including visual impacts and noise, of the proposed special use on adjacent properties.	The masonry exterior walls of the proposed storage building are intended to serve as the masonry screening wall required per the City's Development Code. All operations in the facility will take place in the interior of the site, with the buildings providing screening to all adjacent properties.
E.	The project is not located within an identified archeological or cultural study area, as recognized by the City. If the project is located in a study area, an archeological resource reconnaissance has been performed on the site by a qualified archeologist and any identified resources have been avoided or mitigated to the extent possible per the findings in the report.	Per the Deputy Historic Preservation Officer for the State of Nevada, there are no recorded identified cultural or archeological sites located within this property.
F.	The proposed special use complies with all applicable development and public facility standards as required by this development code or other City ordinances.	The proposed project as conditioned will comply with all applicable development and public facility standards as required by this development code or other City ordinances.
G.	The proposed special use will not be materially detrimental to the public health, safety, convenience and welfare, and will not result in material damage or prejudice to other property in the vicinity.	The proposed Special Use will not result in any material detriment or damage to the public or adjacent property, it will serve to complement existing and proposed commercial development and to buffer adjacent residential properties from existing and proposed higher intensity commercial uses. Project design will comply with all design standards and codes and will not result in any detriment or damage in any material manner.

FINANCIAL INFORMATION:

FISCAL IMPACT:

1. Is There A Fiscal Impact? NO
2. Is it Currently Budgeted? NA
3. If Budgeted, Which Line Item/Account?

FISCAL SYNOPSIS:

Processing of this application is covered by the \$1,100.00 application fee at the time of submittal.

BACKGROUND INFORMATION:

The property is zoned C-2 (General Commercial) zoning district, generally located south of US Route Alt 50, north of Emigrant Way, west of Short Cut Lane and east of Nevada Pacific Blvd., Fernley, NV. (APN: 021-201-47). The property is within the City of Fernley's Comprehensive Plan Designation of Commercial. The proposed 4.76 acre project will consist of an approximately 102,651 square feet of self-storage buildings, and a 1,300 square foot combined office/residence building with appurtenant access and site improvements. This proposed 4.76 acre project is part of larger 11.94 acre parcel.

PRIOR COUNCIL ACTION/REVIEW:

N/A

ATTACHED INFORMATION:

1. Vicinity Map
2. Site Plan
3. Elevations and Site Plan
4. Office/Residence Elevations
5. Office/Residence Floor Plan

SPECIAL USE PERMIT - SUP 2017-001
CONDITIONS OF APPROVAL

1. APPROVAL:

THE PROJECT IS APPROVED AS SUBMITTED AND CONDITIONED. ANY SUBSTANTIVE CHANGE SHALL REQUIRE REVIEW AND APPROVAL BY THE PLANNING COMMISSION AND CITY COUNCIL AS AN AMENDMENT TO THIS SPECIAL USE PERMIT.

2. EXPIRATION DATE:

THE SPECIAL USE PERMIT SHALL EXPIRE WITHIN ONE (1) YEAR OF THE DATE OF CITY COUNCIL APPROVAL, UNLESS THE PERMITTED USE HAS BEEN ESTABLISHED OR CONSTRUCTION TO ACCOMMODATE THAT USE HAS BEGUN AND IS BEING DILIGENTLY PURSUED. A ONE-YEAR EXTENSION MAY BE GRANTED BY THE CITY COUNCIL IF REQUESTED PRIOR TO THE EXPIRATION DATE OF THE SPECIAL USE PERMIT.

3. WATER RIGHTS:

THE DEVELOPER SHALL COMPLY WITH ALL CITY OF FERNLEY MUNICIPAL CODES REGARDING THE DEDICATION OF WATER RIGHTS, INCLUDING ASSOCIATED FEES, FOR THE CONNECTION TO THE CITY'S MUNICIPAL WATER SYSTEM IN THE AMOUNT THAT IS REQUIRED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR THE PROJECT.

4. LANDSCAPING/IRRIGATION:

THE DEVELOPER SHALL SUBMIT A LANDSCAPING & IRRIGATION PLAN FOR THE PROJECT IN CONFORMANCE WITH CHAPTER 40 OF THE DEVELOPMENT CODE FOR REVIEW AND APPROVAL BY THE ADMINISTRATOR PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR THE PROJECT.

THE ENTIRE PERIMETER LANDSCAPING AND IRRIGATION SHALL BE INSTALLED PER THE APPROVED PLANS PRIOR TO THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY FOR THE PROJECT TO THE APPROVAL OF THE ADMINISTRATOR.

5. PROJECT CONTACT:

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

6. CONSTRUCTION HOURS:

THE DEVELOPER SHALL LIMIT ALL NOISE GENERATING CONSTRUCTION BETWEEN THE HOURS OF 7:00 AM TO 7:00 PM MONDAY THROUGH FRIDAY AND FROM 9:00 AM TO 5:00 PM ON SATURDAY WITH NO CONSTRUCTION ON SUNDAY.

7. CONSTRUCTION MAINTENANCE:

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

8. ARCHITECTURAL DESIGN:

THE ARCHITECTURAL DESIGN OF THE PROJECT SHALL TAKE INTO CONSIDERATION SIMILAR MATERIALS AND ARCHITECTURAL ELEMENTS USED ON OTHER COMMERCIAL BUILDINGS IN THE VICINITY TO PROMOTE CONTINUITY TO THE APPROVAL OF THE ADMINISTRATOR. ANY PROPOSED COLORS SHALL BE EARTH TONE TO BETTER BLEND THE PROJECT INTO THE SURROUNDING ENVIRONMENT. BRIGHT COLORS SHALL NOT BE PERMITTED. PROPOSED MATERIALS, INCLUDING BUT NOT LIMITED TO THE METAL ROOF, SHALL ALSO BE NON-REFLECTIVE TO THE APPROVAL OF THE ADMINISTRATOR.

9. DESIGN STANDARDS:

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

10. LIGHTING:

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

11. MECHANICAL EQUIPMENT:

THE MECHANICAL EQUIPMENT SHALL BE SCREENED FROM VIEW IN ACCORDANCE WITH THE REQUIREMENTS SET FORTH IN SECTION 40.090 OF THE DEVELOPMENT CODE TO THE APPROVAL OF THE ADMINISTRATOR. THE SCREENING SHALL BE REVIEWED AND APPROVED BY THE ADMINISTRATOR PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.

12. ENGINEERING DIVISION:

THE DEVELOPER SHALL COMPLY WITH ALL ENGINEERING REQUIREMENTS WITHIN THE CITY'S DEVELOPMENT CODE INCLUDING BUT NOT LIMITED TO COMPLIANCE WITH CHAPTERS 40 (SITE DEVELOPMENT STANDARDS), 46 (UNDERGROUNDING OF UTILITIES), AND 47 (WATER AND WASTEWATER FACILITIES) TO THE APPROVAL OF THE ADMINISTRATOR, CITY ENGINEER AND PUBLIC WORKS DIRECTOR PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR THE PROJECT.

13. DRAINAGE AND GRADING:

THE DEVELOPER SHALL COMPLY WITH ALL REQUIREMENTS OF CHAPTER 42 (DRAINAGE AND GRADING) OF THE CITY'S DEVELOPMENT CODE AND CHAPTER 10 OF THE CITY OF FERNLEY PUBLIC WORKS DESIGN STANDARDS TO THE APPROVAL OF THE ADMINISTRATOR, CITY ENGINEER AND PUBLIC WORKS DIRECTOR PRIOR TO THE ISSUANCE OF A BUILDING OR GRADING PERMIT FOR THE PROJECT.

THE EXISTING DROP INLET FROM NEVADA PACIFIC SHALL REMAIN IN PLACE AND BE CONSIDERED IN THE 25 YEAR, 6 HOUR CALCULATION FOR STORM EVENTS. THE EXISTING DRAINAGE EASEMENT OR DRAINAGE IMPROVEMENTS WITHIN THE ADJACENT DONNER TRAIL ESTATES PHASE 7 SUBDIVISION SHALL NOT BE AFFECTED BY THIS PROJECT TO THE APPROVAL OF THE ADMINISTRATOR, CITY ENGINEER, AND PUBLIC WORKS DIRECTOR.

14. NORTH LYON COUNTY FIRE DISTRICT:

THE APPLICANT SHALL COMPLY WITH ALL REQUIREMENTS OF THE NORTH LYON COUNTY FIRE DISTRICT TO THE APPROVAL OF THE ADMINISTRATOR AND FIRE CHIEF. THE APPLICANT SHALL MAINTAIN COMPLIANCE WITH THESE REGULATIONS THROUGHOUT THE LIFE OF THE PROJECT.

15. BUILDING DEPARTMENT:

THE APPLICANT SHALL COMPLY WITH ALL REQUIREMENTS OF THE BUILDING DEPARTMENT TO THE APPROVAL OF THE BUILDING OFFICIAL PRIOR TO THE ISSUANCE OF A BUSINESS LICENSE FOR THE PROJECT. THE APPLICANT SHALL MAINTAIN COMPLIANCE WITH THESE REGULATIONS THROUGHOUT THE LIFE OF THE PROJECT.

16. WASTE MANAGEMENT:

THE DEVELOPER SHALL OBTAIN A "WILL SERVE" LETTER FROM WASTE MANAGEMENT PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR THE PROJECT.

17. RECIPROCAL EASEMENTS:

THE DEVELOPER SHALL PROVIDE IRREVOCABLE RECIPROCAL PARKING, ACCESS, STORM DRAINAGE MAINTENANCE, AND LANDSCAPE EASEMENTS OVER THE PROJECT SITE TO THE APPROVAL OF THE ADMINISTRATOR PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.

18. FENCING:

THE DEVELOPER SHALL INSTALL AN OPEN VIEW DECORATIVE METAL FENCE WHICH WILL INHIBIT ACCESS TO THE RETENTION BASIN AND ALLOW FOR AN UNOBSTRUCTED VIEW OF THE BUFFER AREAS LOCATED ALONG THE SOUTH AND EAST PORTIONS OF THE PROJECT TO THE APPROVAL OF THE ADMINISTRATOR.