



CITY OF FERNLEY

CITY COUNCIL AGENDA REPORT

Meeting Date: October 16, 2019

REPORT TO:	Mayor and City Council
REPORT THRU:	Daphne Hooper, City Manager
REPORT BY:	Olivia John, Assistant Planner
REVIEWED BY:	Tim Thompson, Planning Director
REVIEWED BY:	Brent Kolvet, Deputy City Attorney
REVIEWED BY:	Denise Lewis, City Treasurer

FINANCIAL IMPACT:	CURRENTLY BUDGETED:	FUND/ACCOUNT:
Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>	Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>	N/A

ACTION REQUESTED: Consent Ordinance Resolution Motion Receive/File

AGENDA ITEM: Staff Report (For Possible Action):
Public Hearing, TSM 2019-001 & DR 2019-004 – A Tentative Subdivision Map and Design Review request from Fernley Land Investments, LLC to allow for a residential development in the NR-2 (Multiple Residence) zoning district on a site approximately ± 13.9 acres in size, generally located at the southern terminus of Chisholm Trail, Fernley, NV. (APN: 021-272-19)

A. Consideration and possible action on a Tentative Subdivision Map (Sunrise Trails) request to allow for a 202-lot single family attached duplex and townhome subdivision.

B. Consideration and possible action on a Design Review request to allow for a 202-lot single family attached duplex and townhome development.

A Business Impact Statement is Attached.

A Business Impact Statement is not required because this is not a rule (term excludes vehicles by which legislative powers are exercised under NRS Chapters 271, 278, 278A, or 278B).

Agenda Item Brief: A Tentative Subdivision Map and Design Review request for Sunrise Trails was submitted to the City on July 30, 2019. The project developer proposes to construct new infrastructure and single-family affordable housing in two phases, consisting of 110 duplex units in Phase 1 and 92 row townhome units in Phase 2 at a density of 14.5 units per acre. The preliminary design includes approximately 4.8 acres of roadways and parking, approximately 3.5 acres of landscaping, and 5.6 acres of developed area.

See attached report for background, analysis, alternatives.

RECOMMENDED MOTION:

- A. "I move to approve a Tentative Subdivision Map (TSM 2019-001) adopting Findings 1 through 8 and the facts supporting these Findings as set forth in the staff report and subject to the Conditions of Approval 1 through 27 as listed in the staff report."**
- B. "I move to approve a Design Review (DR 2019-004) adopting Findings 1 through 6 and the facts supporting these Findings as set forth in the staff report and subject to the Conditions of Approval 1 through 23 as listed in the staff report."**

PROJECT SUMMARY:

The applicant has submitted a Tentative Subdivision Map and Design Review for a proposed single family attached residential subdivision (Sunrise Trails) that consists of 202 single family attached duplex and townhome units with each unit mapped on an individual lot. These units are intended to be for sale units, affordable by design, targeted for entry-level and workforce buyers. Sunrise Trails is proposed for development on an undeveloped site approximately ± 13.9 acres in size in the NR-2 (Multiple Residence) zoning district generally located at the southern terminus of Chisholm Trail, Fernley, NV (APN: 021-272-19).

BACKGROUND:

A Master Plan Amendment (MPA 2016-001) was approved and adopted by resolution on January 13, 2016 amending the land use designation within the Master Plan from Commercial to Multi-Family Residential. Immediately following adoption of the MPA, a Zoning Map Amendment (ZMA 2016-001) was approved and adopted by ordinance on February 17, 2016 changing the zoning from C-2 (General Commercial) to NR-2 (Multiple Residence). The effective date of the ordinance and the zone change was March 11, 2016. Following the 2018 City of Fernley Master Plan update, the current master plan designation for the subject property is Mixed Employment.

ANALYSIS:

The proposed residential subdivision (Sunrise Trails) consists of 202 single family attached duplex and townhome units, with each unit mapped on an individual lot, on an undeveloped ± 13.9-acre parcel on the east side of Fernley, Nevada at the southern terminus of Chisholm Trail. The property is zoned NR-2 (Multiple Residence) with a land use designation of Mixed Employment. The development is consistent with the City's Master Plan and complies with the City's Municipal Code.

The project is bordered by undeveloped private parcels to the north, undeveloped land owned by the U.S. Bureau of Reclamation to the east, the Union Pacific Railroad and land owned by the City of Fernley to the south, and the Fernley Estates Senior Center to the west with access via Chisholm Trail from U.S. Highway 95A. The development will provide more efficient traffic circulation to surrounding areas by connecting existing public streets and includes an internal looping road network with two access points to Chisholm Trail. Streets within the project site are proposed to be private streets maintained by the future HOA.

The project is intended to be constructed in two phases, the first phase including 110 duplex units with 3 floor plan options, and the second phase including 92 row townhome units. Plans include ± 3.5 acres (25%) of landscaped common area with amenities including a large sports field area, play structure, BBQ areas, and pedestrian amenities. An Homeowners Association (HOA) will be responsible for maintaining the common open space, landscaping - public and private, drainage facilities, and parking areas.

The NR-2 zoning district allows a maximum of 30 dwelling units to the acre. The project complies with a density of 14.5 dwelling units to the acre. The units are intended to be for sale units, affordable by design, targeted for entry-level and workforce buyers.

The Phase 1 duplex units are a mix of one-story (Plan A & B) and two-story (Plan C) units, all 2-bedrooms and include 3 different floor plans:

- Plan A is 812 square feet with no garage
- Plan B is 874 square feet with no garage and includes a den
- Plan C is 1,440 square feet with a garage and driveway

The Phase 2 row townhome units are all 2 stories, 2-bedroom units and include a garage. Covenants, Conditions, and Restrictions (CC&Rs) must be presented with the first final map. Included within the CC&Rs, the development shall prohibit garages from being used as storage and limit their use for parking purposes only. The HOA will be responsible for enforcing the regulations.

The project includes a masonry 8-foot tall sound wall along the southern boundary to provide screening and noise attenuation for Union Pacific Railroad traffic. In addition to the 8-foot tall wall, some of the units will receive window treatments to reduce noise. Perimeter fencing on the north and east property line will be 6-foot vinyl fencing to match the sound wall along the southern boundary. No fencing is proposed on the west side of the property to entice an open and inviting community. Emergency/utility access gates will be provided at the northeast corner, southeast corner, and southwest corner of the project site.

Police protection is provided by the Lyon County Sherriff's Office and fire protection is provided by the North Lyon County Fire Protection District. Access to the site is primarily from Chisholm Trail and will be open and not gated creating efficient access for emergency responders. The applicant met with the Lyon County Fire Protection District to discuss alternatives to the required secondary access. A condition has been imposed to satisfy the Lyon County Fire Protection District's requirements.

The proposed development contains a total of 400 parking spaces. The City's Development Code requires 455 parking spaces (i.e. resident plus guest parking). As per the City's Municipal Code Section 32.28.70, the Administrator may approve the use of alternative parking space requirements based on Urban Land Institute, American Planning Association, Institute of Transportation Engineers, or other analytical studies approved by the Administrator, that take into account monthly, hourly, and weekly variation, peaking characteristics, ride share programs, proximity to transit stops, and shared uses. The applicant shall justify the use of and appropriateness of alternative parking number calculations. A parking justification letter has been included with the staff report.

There are existing utilities within the site or adjacent to the project site within Chisholm Trail. The development must connect to existing City water and sewer facilities and pay all associated connection fees required by the City.

The proposed lots and site improvements have been designed in accordance with the City's Development Code and Public Works Design Standards.

The developer is subject to the provisions of the City's Municipal Code related to Residential Construction Tax (RCT). The fee must be paid prior to issuance of a building permit for each single-family residence.

The application was distributed to the City's Public Works Department, City Engineer, and all outside agencies for comment. Comments were received, provided to the applicant, and have been addressed.

This item was heard September 11, 2019 at Planning Commission. They voted to forward a recommendation of approval to City Council.

Based on this analysis and the findings listed below, staff has concluded the project as submitted and conditioned will address identified impacts. Therefore, staff recommends approval of TSM 2019-001 and DR 2019-004, Sunrise Trails.

FINDINGS:

Tentative Subdivision Map

1. The property to be subdivided is zoned for the intended uses and the density and design of the subdivision conforms to the requirements of the zoning regulations contained in the Development Code and policies of the Master Plan.

The proposed single family attached (duplex, townhomes) development is allowed in the NR-2 (Multiple Residence) zoning district and has been designed to meet the regulations and standards identified for the zoning district. The property is master planned Mixed Employment which allows for a maximum density of 30 dwelling units per acre. The proposed density of 14.5 dwelling units to the acre is within the allowed densities identified in both the Master Plan and the Development Code.

2. If a planned development is proposed, the tentative subdivision map conforms to the density requirements, lot dimensions standards and other regulations applicable to planned developments.

The proposed development is not part of a planned development.

3. The tentative subdivision map conforms to public facilities and improvement standards contained in the Development Code and the Public Works Design Standards.

Prior to acceptance of any public improvements, the infrastructure shall meet the City standards specifically required per the Public Works Design Manual and Development Code.

4. If applicable, that a phasing plan has been submitted and is deemed acceptable.

The proposed project is planned to be constructed in two (2) phases. A preliminary phasing plan has been provided. Phase 1 includes 110 duplex units with 3 floor plan options, and Phase 2 includes 92 row townhouse units. Each phase submitted must be designed to meet the City's public facilities and improvement standards and be able to operate independently and as part of the overall design.

5. There are no delinquent taxes or assessments on the land to be subdivided, based on the records of the county treasurer.

Property taxes for fiscal year 2019/2020 have been paid in full.

6. 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 previous inventories or previously recorded sites in the project area.

7. If the proposed subdivision map is adjacent to public lands, adequate public access is provided to those lands.

The project is located adjacent to public lands. However, the public land is surrounded by private development and the railroad. If the parcel remains public, access would more than likely be provided north of the project site from Financial Way. The proposed development includes a gate at the northeast corner where the City sewer main is located extending to the north. Future access to the public land for the proposed development could be provided at this location.

8. The project provides for orderly growth and results in compatible and consistent development with surrounding neighborhoods.

The project site is appropriately master planned and zoned for the proposed density and product type. The proposed project is compatible with the adjacent public lands to the east and south, the senior living facility to the west, and commercial to the north. The proposed project will provide a more affordable product type helping diversify Fernley's housing. The project site is ideal for this type of development providing opportunity for pedestrian connectivity to Fernley's employment center, commercial core area, and services future residents will need.

Design Review

1. The proposed development is consistent with the goals and policies embodied in the adopted Master Plan and the general purpose and intent of the applicable district regulations.

The proposed single family attached (duplex, townhomes) development is allowed in the NR-2 (Multiple Residence) zoning district and has been designed to meet the regulations and standards identified for the zoning district. The property is master planned Mixed Employment which allows for a maximum density of 30 dwelling units per acre. The proposed density of 14.5 dwelling units to the acre is within the allowed densities identified in both the Master Plan and the Development Code. The proposed project will provide additional affordable housing within the City.

2. The proposed development 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, landscaping, and walls.

The proposed development has been designed to be compatible with the existing uses that are adjacent to the site. Site design has been used to minimize any potential adverse impacts from noise, visual nuisances, and other concerns.

3. The proposed development incorporates roadway improvements, traffic control devices or mechanisms, or access restrictions to control traffic flow or divert traffic as needed to reduce or eliminate development impacts on surrounding streets.

The design of the site incorporates roadway improvements that reduce impacts to surrounding streets which include Chisholm Trail, Penny Lane, and U.S. Hwy 95A. A looping network of private streets within the development will provide adequate circulation and connectivity to the existing roadways.

4. The proposed development incorporates features to minimize adverse effects, including visual impacts of the proposed development on adjacent properties and re-vegetation as required in Chapter 42 of this title.

Site design, building orientation, wall and fence placement, and landscaping have been proposed to minimize any adverse effects on adjacent properties.

5. The proposed development complies with the requirements of this Development Code and other city ordinances.

The proposed development has been designed to comply with the requirements of this Development Code and other city ordinances. The project has been conditioned to ensure that it complies with the requirements of the Development Code and other city ordinances.

6. Each parcel shall have a principal structure or use as defined in Appendix A and as allowed by the zoning district use tables in Chapter 28 of this title. No accessory structure or use as defined in Section 28.070.100 shall be allowed without a principal structure or use.

Each proposed parcel will be limited to a single principal structure or use as allowed in the NR-2 zoning district.

ATTACHMENTS:

1. TSM 2019-001 Conditions of Approval
2. DR 2019-004 Conditions of Approval
3. Vicinity Map
4. Civil Plans
5. Preliminary Site & Phasing Plan
6. Landscape Plan
7. Architectural Plans & Elevations
8. Parking Justification Letter