



CITY OF FERNLEY

CITY COUNCIL AGENDA REPORT

Meeting Date: February 5, 2020

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: Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>	CURRENTLY BUDGETED: Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>	FUND/ACCOUNT: N/A
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ACTION REQUESTED: <input type="checkbox"/> Consent <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Receive/File
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AGENDA ITEM: Staff Report (For Possible Action): First Reading, Introduction of Bill #281 (ZMA 2019-003) – Consideration and possible action to introduce Bill #281 as an ordinance for a Zoning Map Amendment request, from ERGS, Inc., to change the zoning from C-2 (General Commercial) to NR-2 (Multiple Residence Non-Rural Residential) on a site approximately 2.23 acres in size generally located south of Fremont Street, east of King Court, and north of the Union Pacific Railroad Right-of-Way. (APN: 021-271-15)

Agenda Item Brief: The applicant has requested to change the zoning, on a site approximately 2.23 acres in size, from C-2 (General Commercial) to NR-2 (Multiple Residence Non-Rural Residential). The subject property was recently purchased by ERGS, Inc. and has been combined with a larger parcel to the east of the site through a Boundary Line Adjustment. The proposed zone change will eliminate the split zoning designations associated with the newly created parcel.
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Recommended Motion: Read bill by title and schedule 2nd reading, public hearing, and possible adoption of Bill #281 for the regularly scheduled meeting on February 19, 2020. “I move to introduce Bill #281 and set the public hearing for the February 19, 2020 City Council Meeting.”

Business Impact (per NRS Chapter 237): <input type="checkbox"/> A Business Impact Statement is Attached. <input checked="" type="checkbox"/> 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).

See attached report for background, analysis, alternatives.

PROJECT SUMMARY:

The subject ± 2.23-acre site has recently been consolidated, by Boundary Line Adjustment (BLA), with the adjacent property to the east which is zoned NR-2 (Multiple Residence Non-Rural Residential). The newly created parcel is slated for multi-residential development. The current C-2 zoning, associated with the ± 2.23-acre portion of the property, does allow for multi-residential development with the approval of a Special Use Permit but the NR-2 zoning, associated with the remaining ± 9.44-acres, allows for multi-residential development without the need for a Special Use Permit. The requested Zoning Map Amendment is preferred to eliminate split zoning associated with the project site and ensure a more balanced multi-family residential design.

BACKGROUND:

The subject site is currently zoned C-2 (General Commercial) with a land use designation of MR (Mixed Residential). Presently, the site is undeveloped and adjacent to commercial development. Prior to a recently approved Boundary Line Adjustment (BLA), the site was a portion of a ± 4.14-acre property identified by APN 021-101-14 and an address of 999 Fremont Street. The recorded BLA has created a new parcel, approximately 11.67 acres in size.

ANALYSIS:

The applicant is requesting to change the zoning from C-2 (General Commercial) to NR-2 (Multiple Residence Non-Rural Residential) on a site approximately 2.23 acres in size located south of Fremont Street, east of King Court, and north of the Union Pacific Railroad Right-of-Way. The parcel is slated for multi-residential development. This request will eliminate split zoning associated with the project site and ensure a more balanced multi-family residential design.

Public notice was given, and public hearings were scheduled per the provisions outlined in the City's Municipal Code and Nevada Revised Statutes. No written comments have been received but the City has answered numerous phone calls concerning traffic congestion that may arise from future development.

Any future development of the subject parcel will include an analysis of any improvements necessary to support a proposed project.

Based on this analysis and the findings listed below, staff recommends City Council introduce Bill #281 as an ordinance for a Zoning Map Amendment and schedule the second reading, public hearing, and possible adoption of Bill #281 for the regular scheduled meeting on February 19, 2020.

FINDINGS:

- A. The proposed amendment is consistent with the policies and the land use designation of the adopted Master Plan.

The existing C-2 (General Commercial) is not listed as an equivalent zoning category in the current land use designation of MR (Mixed Residential) as outlined in the City's Master Plan. The proposed rezoning of the ± 2.23-acre site to NR-2 (Multiple Residence Non-Rural Residential) is identified as an equivalent zoning category in the MR land use category; therefore, the proposed amendment will bring the zoning into conformance with the City's Master Plan.

- B. The anticipated uses allowed by the proposed zoning can be served by adequate public facilities, roads, and services required by this Development Code.

Existing public facilities, roads, and services are available in the adjacent right-of-way. Approval of the Zoning Map Amendment does not assure the approval of any proposed development project. The project will be subject to compliance with the City's Development Code and should be fiscally sustainable.

- C. Any impacts from the proposed zoning on public facilities and services can be properly mitigated.

The proposed rezoning of the ± 2.23-acre site to NR-2 (Multiple Residence Non-Rural Residential) is not anticipated to result in significant impacts on public facilities or services. The potential impacts of future development will be analyzed to ensure that impacts to the existing infrastructure or services are appropriately mitigated.

- D. The proposed amendment is compatible with the master planned use of the adjacent properties.

The adjacent properties are either master planned MR (Mixed Residential) or MFR (Multi-Family Residential). The subject ± 2.23 acre-site has been consolidated with the property to the east which is already zoned NR-2 (Multiple Residence Non-Rural Residential). The proposed zoning of NR-2 is identified as an equivalent zoning category in both the existing MR and proposed MFR land use categories as outlined in the City's Master Plan.

- E. Within the zoning district, the governing body may regulate and restrict the erection, construction, reconstruction, alteration, repair or use of buildings, structures or land. The zoning regulations must be adopted in accordance with the provisions outlined in NRS 278.250(2), as applicable.

Any future construction based on the zoning district and all future development will follow all applicable federal, state, and local regulations.

ATTACHMENTS:

1. Vicinity Map
2. Bill #281 – A general ordinance for a Zoning Map Amendment
3. Exhibit A – Legal Description
4. Exhibit B – Boundary Map