



CITY OF FERNLEY

CITY COUNCIL AGENDA REPORT

Meeting Date: February 19, 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
---	--	-----------------------------

ACTION REQUESTED: Consent Ordinance Resolution Motion Receive/File

AGENDA ITEM: Staff Report (For Possible Action):
(For Possible Action) Public Hearing & Second Reading (MPA 2019-001 & ZMA 2019-003) – A Master Plan Amendment and Zoning Map Amendment request from ERGS, Inc. on a site approximately 2.23 acres generally located south of Fremont Street, east of King Court, and north of the Union Pacific Railroad Right-of-Way. (APN: 021-271-15)

A. Consideration and possible action to certify a Master Plan Amendment Resolution #20-001, associated with MPA 2019-001, to change the land use designation from MR (Mixed Residential) to MFR (Multi-Family Residential).

B. Consideration and possible action to adopt Bill #281 as an ordinance authorizing the City to enact a Zoning Map Amendment, associated with ZMA 2019-003, to change the zoning from C-2 (General Commercial) to NR-2 (Multiple Residence Non-Rural Residential).

Agenda Item Brief: The applicant has requested to change both the zoning and land use designations on a site approximately 2.23 acres in size. The zoning will change from C-2 (General Commercial) to NR-2 (Multiple Residence Non-Rural Residential) and the land use designation will change from MR (Mixed Residential) to MFR (Multi-Family Residential). The proposed zone change will eliminate the split zoning designations associated with the newly created parcel.

Recommended Motion:

A. “I move to certify a Master Plan Amendment Resolution #20-001, associated with MPA 2019-001, to change the land use designation from MR (Mixed Residential) to MFR (Multi-Family Residential) based on Findings A through E and the facts supporting these Findings as set forth in the staff report.”

B. “I move to adopt Bill #281 as an ordinance authorizing the City to enact a Zoning Map Amendment, associated with ZMA 2019-003, to change the zoning from C-2 (General Commercial) to NR-2 (Multiple Residence Non-Rural Residential) based on Findings A through E and the facts supporting these Findings as set forth in the staff report.”

Business Impact (per NRS Chapter 237):

- 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).

See attached report for background, analysis, alternatives.

PROJECT SUMMARY:

The 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) with a master plan land use designation of MFR (Multi-Family Residential) which allows for multi-family residential development of up to 30 dwelling units per acre. The current C-2 zoning does allow for multi-residential development with approval of a Special Use Permit but the current master plan land use designation of MR (Mixed Residential) will only allow mixed residential uses of up to 14 dwelling units per acre. The intent is for the consolidated site to be developed with an apartment community with an overall density of 18.50 dwelling units per acre. While a project on the consolidated ± 11.67-acre site could be designed to limit density on the ± 2.23-acre portion to 14 dwelling units per acre, the requested master plan and zoning map amendments are preferred to eliminate split designations on 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 BLA has created a new parcel (APN: 021-271-15), approximately 11.67 acres in size, that will be the location of a proposed multi-family residential development.

ANALYSIS:

The applicant is requesting to change both the zoning and land use designations 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 request conforms to the City's Master Plan and complies with the City's Development Code.

This request will change the zoning from C-2 (General Commercial) to NR-2 (Multiple Residence Non-Rural Residential) and the land use designation will change from MR (Mixed Residential) to MFR (Multi-Family Residential).

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

Public notice was given, and a public hearing was scheduled per the provisions outlined in the City's Municipal Code and Nevada Revised Statutes.

Based on this analysis and the findings listed below, staff recommends that City Council certify Resolution #20-001 for a Master Plan Amendment and adopt Bill #281 as an ordinance for a Zoning Map Amendment.

FINDINGS:

Master Plan Amendment

A. The proposed amendment is consistent with the goals and policies of the adopted Master Plan.

The proposed amendment is consistent with the goals and policies related to multi-residential development in the City of Fernley Comprehensive Master Plan. The proposed amendment will provide for new development in areas where adequate public services and facilities can be provided efficiently.

- B. The proposed land use can be served by minimum public facilities required by this Development Code.

Approval of a Master Plan Amendment does not assure the approval of any proposed development project. Future development of the project area will be required to connect to the existing infrastructure or construct the necessary improvements to meet the specified uses within the proposed NR-2 zoning district. Any proposed project will be subject to compliance with the City's Development Code and should be fiscally sustainable.

- C. The proposed amendment will provide for land uses compatible with the existing and master planned adjacent land uses, and will not adversely impact the public health, safety, or welfare.

The ± 2.23-acre site is located in an area master planned as Mixed Residential. The Mixed Residential land use designation will allow for 14 dwelling units per acre. The adjacent property has a land use designation of Multi-Family Residential which allows for 30 dwelling units per acre. Multi-residential development on this site would have a minimal impact on the natural environment and surrounding land uses.

- D. The proposed amendment addresses changed conditions that have occurred since the plan was adopted by the City and the requested amendment represents a more desirable use of the land.

Fernley is growing and the need for additional housing continues to intensify. The ± 2.23-acre site has been consolidated with the adjacent property to the east through a recently approved Boundary Line Adjustment. The intent is to develop an apartment community on the consolidated site. The proposed amendment will eliminate split designations and ensure a more balanced multi-family residential design.

- E. The proposed amendment will promote the desired pattern for the orderly physical growth of the City based on efficient extension of infrastructure and services, and consequent development pattern to the Master Plan.

A desired pattern of logical physical growth for the City has already been considered with the adoption of the Comprehensive Master Plan. The subject site was master planned for higher density mixed-residential development of up to 14 dwelling units per acre and is located adjacent to property with a land use designation of Multi-Family Residential. The proposed amendment will provide for ordered growth and facilitate development of additional housing based on the efficient extension of infrastructure and services. Roads, water, and sewer infrastructure, to adequately serve a future multi-family residential development, is available in the adjacent right-of-way.

Zoning Map Amendment

- 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) zoning allows for multi-residential development upon approval of a Special Use Permit; however, C-2 is not listed as an equivalent zoning category in the current land use designation of MR (Mixed Residential) or in the proposed land use designation of MFR (Multi-Family Residential) as outlined in the City's Master Plan. The proposed zoning of NR-2 (Multiple Residence Non-Rural Residential) is identified as an equivalent zoning category in both the existing MR and proposed MFR land use categories. The proposed amendment will bring the zoning into conformance with the City's Comprehensive 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 Comprehensive 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. Resolution #20-001 – A resolution of the City of Fernley for a Master Plan Amendment
3. Existing Land Use Designation Map
4. Proposed Land Use Designation Map
5. Bill #281 – A general ordinance for a Zoning Map Amendment
6. Exhibit A – Legal Description
7. Exhibit B – Boundary Map