



STOREY COUNTY PLANNING COMMISSION

Meeting

Thursday April 21, 2022 6:00 p.m.
26 South B Street, District Courtroom and Zoom
Virginia City, Nevada

MEETING MINUTES

CHAIRMAN: Jim Umbach

VICE-CHAIRMAN: Alexia Sober

COMMISSIONERS:

Kris Thompson, Adrienne Baugh, Bryan Staples, Jim Hindle, Summer Pellett

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1. **Call to Order:** The meeting was called to order by the Chairman at 6:00 P.M.
 2. **Roll Call via in person and Zoom:** Jim Hindle, Jim Umbach, Adrienne Baugh, Summer Pellett, Kris Thompson, Bryan Staples, Alexia Sober, **Absent:** None

Also Present: Planning Manager Kathy Canfield and Chief Deputy D.A. Keith Loomis.

3. **Pledge of Allegiance:** The Chairman led the Pledge of Allegiance.
4. **Discussion/For Possible Action:** Approval of Agenda for April 21, 2022.

Motion: Approval of agenda for April 21, 2022, **Action:** Approve, **Moved by** Vice Chairman Sober, **Seconded by** Commissioner Staples, **Vote:** Motion carried by unanimous vote (**summary:** Yes=7).

No Public Comment.

5. **Discussion/For Possible Action:** Approval of Minutes for March 17, 2022.

Motion: Approval of Minutes for March 17, 2022, **Action:** Approve, **Moved by** Vice Chairman Sober, **Seconded by** Commissioner Baugh, **Vote:** Motion carried by unanimous vote (**summary:** Yes=7).

No Public Comment.

6. **Discussion/For Possible Action:** Special Use Permit 2022-01 request by applicant Westgate Petroleum Company and Golden Gate Partners/SET Petroleum of Nevada, LLC to construct a fuel storage and distribution facility. The proposed project will contain storage tanks and vessels to store and distribute Av Gas, Methanol, Jet A, Renewable Diesel, Ethanol, Butane and Propane. The subject property is located at 300 Ireland Drive, Tahoe Reno Industrial Center, McCarran, Storey County, Nevada, Assessor's Parcel Number (APN 005-051-06). The property is currently vacant and has access from Ireland Drive. A higher bench has been graded along the western property boundary that allows for rail access to the site. This site is immediately north of the existing Golden Gate Petroleum refining, reclaiming and storage field.

Commissioner Thompson: Disclosed that he provides services as a professional and has a business relationship with a company called Golden Gate. That relationship is not related to this matter and Thompson stated that he has no pecuniary interest in this matter; therefore, Thompson stated that it is reasonable for him to deliberate and vote on this agenda item.

Planning Manager Kathy Canfield summarized the project. The applicant is proposing to develop this site as a fuel storage and distribution facility. The property is located within the Tahoe-Reno Industrial Center in McCarran, Storey County, Nevada. The property is located north of the intersection of Peru and Ireland Drives and is immediately adjacent to an existing Golden Gate Petroleum facility which provides petroleum refining and a storage and reclaiming plant. The site is zoned I-2, Heavy Industrial, and is an undeveloped parcel with the exception of a private rail spur that was recently installed along the west edge of the property. The parcel is approximately 6.88 acres in size. Surrounding land uses include James Hardie building products facility and vacant land to the north, warehouse and distribution centers to the east, Golden Gate Petroleum refining, storage and reclaiming plant to the south and vacant land to the west. The Tahoe Reno Industrial Center rail line and undeveloped/undedicated Peru Drive right-of-way border the west property line.

This facility is subject to the review and noticing requirements identified in Nevada Revised Statutes (NRS) Section 278.147, Facilities for use, manufacture, processing, transfer or storage of explosives or certain other substances. Surrounding properties within 1,000 feet of the property were all noticed by mail. A public notice was also placed in the March 18, 2022, edition of the Comstock Chronicle, along with noticing the Administrator of the Division of Industrial Relations of the Department of Business and Industry, the State Fire Marshal and the Administrator of the Division of Environmental Protection (NDEP) of the State Department of Conservation and Natural Resources.

In addition to noticing, consultation with the State Fire Marshal, the Administrator of the Division of Industrial Relations of the Department of Business and Industry, the Administrator of the Division of Environmental Protection of the State Department of Conservation and Natural Resources and the local emergency planning committee occurred as required by NRS 278.147. A request for comments was sent to all the above entities, along with the preliminary site plan and equipment list. Comments were received from the Department of Business and Industry and NDEP. Their comments did not raise any issues or concerns but simply identified what the requirements would be from those entities when the applicant applies for permits.

Planning Manager Canfield stated that there were two changes to the staff report; one being a change of the applicant's name from Westgate Petroleum & Golden Gate/SET Petroleum Partners of Nevada, LLC to Golden Gate Terminal LLC. The entities are the same but for permitting, the applicant name Golden Gate Terminal LLC will be used. The second change is that in the description of the project there is a statement that the tanks would range from 10' to 35' in diameter. That may change. There may be tanks that are bigger than that. The design is still being worked out. The site plan layout is preliminary and sizing of tanks may be modified but all tanks will comply with federal, state and local building and fire codes. The special use permit is addressing the use for the property not the final design as it is just preliminary.

Commissioner Thompson asked Canfield if it is accurate to say that the existing Golden Gate facility has a pretty superb record in prior years as a refinery and fuel storage?

Canfield answered that she had talked with the Fire Department regarding how many incidents they have responded to at the refinery and was told there had been only one or two incidents since 2005 that rose to a level of concern. Those incidents were addressed appropriately. The Golden Gate fuel station is considered a different type of use and was not addressed in this special use permit request. Staff is recommending approval for the request as it is compatible with the heavy industrial zoning and other similar existing heavy industrial uses located in the area.

All storage and distribution tanks and associated features will be required to be consistent with all building and fire codes, including state and federal requirements. As a condition of construction approval, evidence of compliance with all required State and Federal entities with jurisdiction over the proposed fuels and containment structures, will be required. In addition, spill containment features will be included into the design of the site to ensure no spilled substances leave the property. The storage tanks will be located a minimum 50-feet from the property line.

Vice Chairman Sober asked if it is typical for the other industrial businesses in the TRIC that are dealing with potentially hazardous chemicals to have a reclamation bond in place and should the county request one for this project?

Planning Manager Canfield answered that it would be on a case by case basis. Canfield said the applicant is here and can answer the questions.

Frank Lepori, Contractor for applicant: There is dual containment, leak detection and they are required to follow regulations from NDEP and CAPP (Chemical Accident Prevention Program). Lepori said that he builds fuel stations for Golden Gate and with the type of equipment that is required by state and federal law, the project is safe. Lepori gave a description of the design of the tanks and how they are contained in the case of a leak.

Commissioner Thompson asked Mr. Lepori to describe the rigorousness of the NDEP requirements that have to be met in order to get a NDEP permit to operate a storage and refinery facility.

Frank Lepori said that NDEP is probably the toughest division (State of Nevada) they deal with. It is a very detailed process. They issue a permit to construct and a permit to operate and monitoring of the operation is ongoing.

Commissioner Hindle asked Mr. Lepori if perhaps the leak got outside of the containment, the remediation is immediate and NDEP requires clean up. Lepori confirmed that any leak is addressed immediately. Hindle also asked if the parameters of the special use permit entirely address the proposed use Golden Gate is requesting so as not to have to return to the planning commission in the future.

Carter Parks, Project Manager: Answered that the special use permit satisfies the parameters of the project and gives them the flexibility they need to complete the project and commence operations (once all conditions are satisfied).

Chairman Umbach asked for Public Comment on this item.

Planning Manager addressed Commissioner Sober's question regarding a requirement for a reclamation bond. Said that the county has not required this on similar special use permit requests. Typically the State regulates those types of things. The county relies on the State for bonding requirements. Canfield told Sober that she can check on this before the county commission hears the request.

Vice Chairman told Canfield that was not necessary.

No Public Comment.

Motion: In accordance with the recommendation by the Planning Commission and staff and the change of applicant's name to Golden Gate Terminal LLC, the Findings of Fact under Section 3.A of this report, and other findings deemed appropriate by the Board of County Commissioners, and in compliance with the conditions of approval, I Bryan Staples, move to approve Special Use Permit 2022-01, a request by the applicant Golden Gate Terminal, LLC, to construct and operate a fuel storage and distribution facility. The subject property is located at 300 Ireland Drive, Tahoe-Reno Industrial Center, McCarran, Storey County, Nevada, a portion of Assessor's Parcel Number (APN) 005-051-06., **Action:** Approve, **Moved by** Commissioner Staples, **Seconded by** Commissioner Thompson,

Planning Manager Canfield read the findings of fact into the record:

- (1) This approval is for Special Use Permit 2022-01, a request by the applicant Golden Gate Terminal, LLC, to construct and operate fuel storage and distribution facility. The subject property is located at 300 Ireland Drive, Tahoe-Reno Industrial Center, McCarran, Storey County, Nevada, a portion of Assessor's Parcel Number (APN) 005-051-06.
- (2) The Special Use Permit conforms to the 2016 Storey County Master Plan for the McCarran planning area in which the subject property is located. A discussion supporting this finding for

the Special Use Permit is provided in Section 2.E of this staff report and the contents thereof are cited in an approval of this Special Use Permit.

- (3) The subject property is located within an existing industrial neighborhood in the McCarran area of Storey County. The zoning is based on the 1999 Storey County Zoning Ordinance which identifies this property as I-2 Heavy Industrial. The proposed facility is defined as a “fuels storage and distribution” and requires a Special Use Permit.
- (4) Granting of the Special Use Permit, with the conditions of approval listed in Section 4 of this report, will not under the circumstances of the particular case adversely affect to a material degree the health or safety of persons/property in the neighborhood of the subject property. The project is expected to meet the safety and health requirements for the subject area. The use will also be subject to building and fire plan review in order to ensure compliance with federal, state and other codes.
- (5) The Special Use Permit will not impose substantial adverse impacts or safety hazards on the abutting properties or the surrounding area, and it will comply with all federal, state and county regulations.
- (6) The conditions under the Special Use Permit do not conflict with the minimum requirements in the 1999 Storey County Zoning Ordinance Sections 17.37 I-2 Heavy Industrial and 17.62 Special Uses.
- (7) Granting of the Special Use Permit will not, under the circumstances of the particular case, adversely affect to a material degree the health or safety of persons working in the neighborhood or area of the subject property and will not be materially detrimental to the public welfare or materially injurious to property improvements in the neighborhood or area of the subject property.

No Public Comment.

Vote: Motion carried by unanimous vote (**summary:** Yes=7).

Dennis O’Keefe, Owner of Golden Gate: Said he appreciates the time and effort that was put into to this project and is looking forward to continuing the great relationship with Storey County.

7. **Discussion/For Possible Action:** Determination of next planning commission meeting.

Motion: Next planning commission meeting to be tentatively held on May 19, 2022 at 6:00 P.M. location to be determined, in person and via Zoom, **Action:** Approve, **Moved by** Commissioner Staples, **Seconded by** Commissioner Sober, **Vote:** Motion carried by unanimous vote (**summary:** Yes=7).

Chairman Umbach mentioned that it would be nice to have a meeting at the TRIC sometime. Commissioner Thompson said he would be happy to give anyone a tour.

No Public Comment

8. **Discussion/For Possible Action:** Approval of claims – None

9. **Correspondence (No Action)** – None

10. **Public Comment (No Action)** – Kris Thompson commented as a member of the public: There are two huge developments in the north part of the county. The first is Nanotech Energy who bought 500 acres in the industrial park has finished grading their first two pads which totals approximately 1.4 million square feet. They are building a nanotechnology manufacturing R & D (research and development?) facility. They are bringing other tech companies with them. They are based out of Los Angeles, California and are very well funded.

The second development is that Redwood Materials which is a company formed by two high level Tesla executives, JB Straubel and Kevin Kassakert, has publicly announced that they are building a massive battery materials manufacturing facility which at full buildout will have 2,000 jobs and around 2B in capital investment. This will be the first of its kind on U.S. soil.

Also announced that NV Energy is working hard on a project called Greenlink. Thompson said that Greenlink is going to be a massive transmission line that hauls renewable power from the NV Energy solar fields down by Las Vegas to the TRIC and to northern Nevada. This will be huge for drawing in Wall Street companies. Thompson gave a “hats off” to Pete Renaud, Director of Community Development, and Kathy Canfield, Planning Manager for encouraging all this.

11. **Staff (No Action)** – Planning Manager Canfield gave the commission an update of the RS2477 project. At the last Board meeting there was a discussion about the RS2477 roads. This project is looking at public land (BLM) in Storey County and identifying existing dirt roadways that have a history, and meet the definition of RS2477 roads, and are considered public access ways. Canfield clarified that the county right now is focused only on roads that are located on public land (BLM) which are used as public access ways, not roads that go through private property. That may be looked at on a case by case basis but the county is currently working on identifying roads that go thru BLM land to prevent the possibility of BLM closing roads that the people have used for many years to access public lands. Canfield said if anyone has questions or would like to see the research that has been completed, they can contact the planning department. Staff is happy to meet and share information about the ongoing project and staff is anticipating a workshop to present this to the public at some point.

Commissioner Sober: Said she thinks this project predates the Storey County Lands Act and asked Kathy if that was true. Canfield answered that she doesn't believe the RS2477 project is related to the Lands Act.

12. **Board Comments (No Action)** – Chairman Umbach said he attended an online meeting with RTC (Regional Transportation Commission). They were discussing their 30 year plan and the TRIC was discussed. They would eventually like to work with Storey County to potentially provide transit access to the TRIC. The problem is how to circulate people within the TRIC because of its expansiveness. Chairman Umbach also announced that he is now a full time Planning Technician for the City of Reno. Umbach which he is really excited about. He has been assured that there is no conflict with also being the Chairman of the planning commission.

13. **Adjournment (No Action)** - The meeting was adjourned at 6:41 p.m.

Respectfully Submitted, By Lyndi Renaud