

CITY OF ELKO
PLANNING COMMISSION
REGULAR MEETING MINUTES
5:30 P.M., P.S.T., TUESDAY, JANUARY 7, 2020
ELKO CITY HALL, COUNCIL CHAMBERS,
1751 COLLEGE AVENUE, ELKO, NEVADA

CALL TO ORDER

Jeff Dalling, Chairman of the City of Elko Planning Commission, called the meeting to order at 5:30 p.m.

ROLL CALL

Present: Evi Buell
 Gratton Miller
 Jeff Dalling
 John Anderson
 Stefan Beck
 Tera Hooiman

Absent: Vacancy

City Staff Present: Scott Wilkinson, Assistant City Manager
 Cathy Laughlin, City Planner
 Bob Thibault, Civil Engineer
 Michele Rambo, Development Manager
 Shelby Archuleta, Planning Technician

PLEDGE OF ALLEGIANCE

COMMENTS BY THE GENERAL PUBLIC

There were no public comments made at this time.

APPROVAL OF MINUTES

December 3, 2019 – Regular Meeting **FOR POSSIBLE ACTION**

*****Motion: Approve December 3, 2019 Meeting Minutes as presented.**

Moved by Evi Buell, Seconded by Tera Hooiman.

**Motion passed unanimously. (6-0)*

I. NEW BUSINESS

A. PUBLIC HEARING

1. Review, consideration, and possible action of Conditional Use Permit No. 11-19, filed by Kelly Builders, LLC which would allow for a townhome development within an R (Single-Family and Multi-Family Residential) Zoning District, and matters related thereto. **FOR POSSIBLE ACTION**

The subject property is located generally on the south side of Indian View Heights at the southern terminus of Griswold Drive. (1553 Indian View Heights Drive - APN 001-530-026)

Jon Wahrenbrock, 1800 Griswold Drive, stated that he had some concerns with the traffic. He mentioned that both Griswold and Indian View Heights were bad intersections. The line of site for west bound cars on Indian View Heights is really bad. He didn't know where the proposed entrance would be, but he assumed it would be next to the driveway for the Jehovah's Witness Church. He had concerns about increasing the traffic, the intersections, and Fire, because there was only one access to the subdivision.

Bob Thibault, Civil Engineer, pointed out the entrance on the plan that was provided. He mentioned that the entrance was offset and that it would be centered between Griswold and the adjacent driveway for the church.

Mr. Wahrenbrock said the traffic there was already bad enough, particularly if you are trying to get onto Indian View Heights from Griswold. In the summer there is a heavier traffic load. He wanted to make sure that they weren't creating a bigger problem.

Lana Carter, Carter Engineering, wanted to add that when they were placing that intersection they made sure they were meeting the City Code requirements for where their approach could be in relation to the intersection, and also meeting the Visibility Triangle within that intersection. What they have proposed meets the Code requirements and site visibility.

Cathy Laughlin, City Planner, went over the City of Elko Staff Report dated December 4, 2019. Staff recommended conditional approval subject to the findings and conditions listed in the Staff Report.

Michele Rambo, Development Manager, wanted to expand on the traffic discussion. The calculated average daily trips for this project is 58, which is well below the requirement for a traffic study. The location of the driveway is compliant with the Code. If you look at the traffic movements that will happen at this location, most people coming out of the development will be turning right to head to Ruby Vista, and people coming into the development will be coming west along Indian View Heights and turning left into the development before they get to Griswold. There should not be an impact on the intersection of Griswold and Indian View Heights.

Mr. Thibault recommended approval as presented by staff.

Scott Wilkinson, Assistant City Manager, recommended approval as presented by staff.

Commissioner Stefan Beck acknowledged Mr. Wahrenbrock's concern for the traffic, and he appreciated staff acknowledging it. Traffic has always been an issue, and Commissioner Beck hoped that as Elko grows that the City will always take that into consideration. It is an important thing to keep in mind as the City grows.

*****Motion: Conditionally approve Conditional Use Permit No. 11-19, subject to the conditions in the City of Elko Staff Report dated December 4, 2019, listed as follows:**

1. The CUP 11-19 shall be personal to the permittee and applicable only to the submitted application conforming to the exhibits as presented.
2. Landscaping shall be installed and not obstruct the view of oncoming traffic at the intersections. Home Owner's Association is to provide such maintenance and care as is required to obtain the effect intended by the original landscape plan for the development.
3. CUP 11-19 to be recorded with the Elko County Recorder within 90 days after commencement of work.
4. The permit shall be personal to the permittee, Kelly Builders, LLC. and applicable only to the specific use of multiple family residential and to the specific property for which it is issued. However, the Planning Commission may approve the transfer of the conditional use permit to another owner. Upon issuance of an occupancy permit for the conditional use, signifying that all zoning and site development requirements imposed in connection with the permit have been satisfied, the conditional use permit shall thereafter be transferable and shall run with the land, whereupon the maintenance or special conditions imposed by the permit, as well as compliance with other provisions of the zoning district, shall be the responsibility of the property owner.
5. Guest parking to be for guest vehicles only, no RV parking allowed on site.
6. All parking lot lighting is to be shielded or cut-off design.
7. An illumination schedule is required to ensure lighting is adequate for safety with minimal impact to adjacent properties.
8. There shall not be any placement of any mail gang boxes or kiosks in association with this complex placed in the city's right of way and shall remain internal to the complex
9. The exterior of the building shall be compatible with surrounding areas and shall be similar to what is presented in the application.
10. The common areas are to be maintained in an acceptable manner at all times.

Development Department Conditions:

1. Tentative Map 13-19 and a Final Map must also be approved by the City of Elko and NDEP and those conditions met
2. NDEP approval of construction plans required prior to issuance of a grading permit
3. BMPs are required during grading/construction as set forth in the City's Construction Site BMP Handbook found online at:
<http://cms4.revize.com/revize/elkonv/WPCP-Management%20PlansConstruction%20BMP%20Manual-DEC2015.pdf>

Commissioner Buell's findings to support the motion were that the proposed development is in conformance with the Land Use Component of the Master Plan. The proposed development is in conformance with the existing transportation infrastructure and the Transportation Component of the Master Plan. The site is suitable for the proposed use. The proposed development is in conformance with the City Wellhead Protection Program. The proposed use is consistent with surrounding land uses. The proposed use is in conformance with City Code 3-2-5 (E) R- Single-Family Multiple Family Residential Zoning District and meets the required setbacks for multiple family development. The proposed development is in conformance with 3-2-3, 3-2-4, 3-2-17, 3-2-18, and 3-8 of the Elko City Code.

Moved by Evi Buell, Seconded by Tera Hooiman.

**Motion passed unanimously. (6-0)*

2. Review and consideration of Tentative Map No. 13-19, filed by Kelly Builders, LLC, for the development of a subdivision entitled The Town Homes at Ruby View involving the proposed division of approximately 1.297 acres of property into 10 lots for residential development and 1 common lot within the R (Single-Family and Multi-Family Residential) Zoning District, and matters related thereto. **FOR POSSIBLE ACTION**

The subject property is located generally on the south side of Indian View Heights at the intersection of Griswold Drive. (1553 Indian View Heights Drive - APN 001-530-026)

Ms. Rambo went through the City of Elko Staff Report dated December 17, 2019. Staff recommended conditional approval. Ms. Rambo mentioned that the Commission would need to modify a condition and add a new one. Condition No. 4 should read that just the Tentative Map must be approved, so strike "and Construction Plans". They would need to add Condition No. 12, which is to read that the Construction Plans must be approved by the Nevada Department of Environmental Protection prior to issuance of a grading permit by the City of Elko. That is a new requirement by the State.

*****Motion: Forward a recommendation to City Council to conditionally approve Tentative Map No. 13-19 subject to the conditions found in the City of Elko Staff Report dated December 17, 2019, with a few modifications made by the Planning Commission listed as follows:**

Development Department:

1. Conditional Use Permit 11-19 must be approved and all conditions be met.
2. The subdivider is to comply with all provisions of the NAC and NRS pertaining to the proposed subdivision.
3. Tentative Map approval constitutes authorization for the subdivider to proceed with preparation of the Final Map and associated construction plans.
4. The Tentative Map must be approved by the Nevada Department of Environmental Protection prior to submitting for Final Map approval by the City of Elko.
5. Tentative Map approval does not constitute authorization to proceed with site

- improvements.
6. The applicant must submit an application for Final Map within a period of four (4) years in accordance with NRS.360(1)(a). Approval of the Tentative Map will automatically lapse at that time.
 7. A soils report is required with Final Map submittal.
 8. A hydrology report is required with Final Map submittal.
 9. Final Map construction plans are to comply with Chapter 3-3 of City code.
 10. The subdivision design and construction shall comply with Title 9, Chapter 8 of City code.
 11. The Utility Department will issue an Intent to Serve letter upon approval of the Tentative Map by the City Council.
 12. Construction Plans must be approved by the Nevada Department of Environmental Protection prior to the issuance of a grading permit by the City of Elko.

Fire Department:

1. Work with the church and good relations for the gate(s) to be placed to the back of the new subdivision for emergency access.
2. Gates to all backyards for emergency access to be constructed.
 - a. Keeping an isle for emergency responders to access if needed to the rear of all properties

Commissioner Buell's findings to support the motion were that the proposed subdivision and development is in conformance with the Land Use Component of the Master Plan. The proposed subdivision and development is in conformance with the Transportation Component of the Master Plan. The proposed subdivision and development does not conflict with the Airport Master Plan. The proposed subdivision does not conflict with the City of Elko Development Feasibility, Land Use, Water Infrastructure, Sanitary Sewer Infrastructure, Transportation Infrastructure, and Annexation Potential Report – November 2012. The property is not located within the Redevelopment Area. The proposed subdivision and development are in conformance with the Wellhead Protection Program. The sanitary sewer will be connected to a programmed sewer system and all street drainage will be directed to a storm sewer system. No zoning amendment is required for the proposed subdivision. In accordance with Section 3-3-5(E(2)), the proposed subdivision and development will not result in undue water or air pollution based on the following: a. There are no obvious considerations or concerns which indicate the proposed subdivision would not be in conformance with all the applicable environmental and health laws and regulations. b. There is adequate capacity within the City's water supply to accommodate the proposed subdivision. c. The proposed subdivision and development will no create an unreasonable burden on the existing water system. d. There is adequate capacity at the Water Reclamation Facility to support the proposed subdivision and development. e. The proposed subdivision and development will be connected to the City's programed sanitary sewer system. Therefore, the ability of soils to support waste disposal does not require evaluation prior to Tentative Map approval. f. Utilities are available in the immediate area and can be extended for the proposed development. g. Schools, fire and police, and recreational services are available throughout the community. h. The proposed subdivision and development will not cause unreasonable traffic congestion or unsafe conditions with respect to existing or proposed streets. i. The area is not located within a designated flood zone. Concentrated storm water runoff has been addressed as shown on the grading plan. j. The proposed subdivision and development is not expected to result in unreasonable erosion or reduction in the water-holding capacity of the land thereby creating a dangerous

or unhealthy condition. The proposed subdivision submittal is in conformance with Sections 3-3-6, 3-3-9, 3-3-10, 3-3-11, 3-3-12, 3-3-13, 3-3-14, and 3-3-15 of City Code. The proposed subdivision and development is in conformance with Section 3-2-3 of City Code. The proposed subdivision and development is in conformance with Section 3-2-4 of City Code. The proposed subdivision and development is in conformance with Section 3-2-5(E)(2). Conformance with Section 3-2-5(E) is required as the subdivision develops. The proposed subdivision and development is in conformance with Section 3-2-5(G) of City Code. The proposed subdivision and development is in conformance with Section 3-2-17. Conformance with Section 3-2-17 is required as the subdivision develops. The proposed subdivision and development is not located in a designated flood hazard area and is in conformance with Section 3-8 of City Code. The proposed subdivision design shall conform to Title 9, Chapter 8 of City Code.

Moved by Evi Buell, Seconded by Tera Hooiman.

**Motion passed unanimously. (6-0)*

3. Review, consideration and possible recommendation to City Council for Rezone No. 5-19, filed by Koinonia Development, LP, for a change in zoning from C (General Commercial), PQP (Public-Quasi, Public), and RMH (Mobile Home Park and Mobile Home Subdivision) to CT (Commercial Transitional) Zoning District, approximately 4.008 acres of property, to allow for a townhome development, and matters related thereto. **FOR POSSIBLE ACTION**

The subject property is generally located on the south side of N. 5th Street, across from Mary Way. (APNs 001-610-096, 001-610-097, 001-610-098, 001-610-099, and a portion of 001-610-075)

Ms. Laughlin went through the City of Elko Staff Report dated December 6, 2019. Staff recommended conditional approval with the conditions and findings listed in the Staff Report.

Chairman Jeff Dalling asked when the property sale would go through.

Ms. Laughlin explained that Mr. Fitzgerald has paid for the property and the deed has been signed by Mayor. They are still working on getting some signatures on the BLA Map. Once those signatures are acquired, then everything will go over to High Desert Engineering and they will be recording deed and the BLA. This rezone will be going to City Council at the end of January, and once it approved by City Council, then resolution will not be signed by the Mayor until the deed and BLA are recorded.

Ms. Rambo had no comments or concerns.

Mr. Thibault and Mr. Wilkinson recommended approval.

Ms. Laughlin clarified that the rezone is to bring the property into conformance with Master Plan. Next month this property will have a Tentative Map and a Conditional Use Permit on the agenda.

Commissioner Evi Buell said it would be good to see this gap filled in.

*****Motion: Forward a recommendation to City Council to adopt an Ordinance, which conditionally approves Rezone No. 5-19 subject to the condition founding in the City of Elko Staff Report dated December 6, 2019, listed as follows:**

- 1. Resolution for the zone amendment not to be signed by the mayor until after the Deed and BLA for the Land Sale 1-19, selling a portion of APN 001-610-075 from the City of Elko to Koinonia Development LP., be recorded.**

Commissioner Buell's findings to support the motion were that the proposed zone district is in conformance with the Land Use Component of the Master Plan. The proposed zone district is compatible with the Transportation Component of the Master Plan and is consistent with the existing transportation infrastructure. The property is not located within the Redevelopment Area. The proposed zone district and resultant land use is in conformance with the Wellhead Protection Plan. The proposed zone district is in conformance with Elko City Code Section 3-2-4(B). The proposed zone district is in conformance with Elko City Code Section 3-2-9(B). The application is in conformance with Elko City Code 3-2-21. The proposed zone district is not located in a designated Special Flood Hazard Area (SFHA). Development under the proposed zone district will not adversely impact natural systems, or public/federal lands such as waterways, drainages, floodplains etc., or pose a danger to human health and safety.

Moved by Evi Buell, Seconded by Gratton Miller.

**Motion passed unanimously. (6-0)*

B. MISCELLANEOUS ITEMS, PETITIONS, AND COMMUNICATIONS

1. Review, consideration, and possible action to initiate an amendment to the City of Elko Master Plan, specifically amending the Proposed Future Land Use Plan Atlas Map 8, Land Use Component Corresponding Zoning Districts, Transportation Component Best Practice 2.3 and Roadway Classifications, Existing Functional Classification Atlas Map 11 and Atlas Map 12, and matters related thereto. **FOR POSSIBLE ACTION**

Ms. Laughlin wanted to go through each of the areas of the Master Plan that staff is proposing changes to. There are quite a few areas that we will be looking at. She then went over the proposed change to Atlas Map 8. The area that is hatched in red is listed as low density residential, but is surrounded by medium density residential. Staff is proposing to change this area to medium density residential to be consistent all the way across. The next change is adding the Residential Business District to the Neighborhood Mixed Use. Neighborhood Mixed Use only allows Commercial Transitional and Convenience Commercial. Staff is proposing to add Residential Business and bring that district into conformance with the Master Plan. The next section is Section 8, which are the Access Management Standards. There are several changes proposed to that. It will be bringing the existing table in the Transportation Component into

conformance with the City Code. The City Code specifically gives distance separations between intersections. The proposed changes will bring the Master Plan into conformance with the City Code. She added that there are only a few classifications in the current table, and staff is proposing to add all the roadway classifications to the table. This will bring the table into conformance with other Sections of the Master Plan, as well as the City Code. There is another proposed change to the Transportation Component. College Avenue was listed as a Minor Arterial from 9th Street to Idaho Street. Staff would like to designate 9th to 12th as a Residential Collector, and from 12th to Idaho would remain as a Minor Arterial.

Commissioner Buell asked if the construction at the High School would affect the traffic count expected in that direction, or if it would be expected more in the North/South direction.

Ms. Laughlin explained that all the parking access would be off of 13th Street. Ms. Laughlin explained that with those two changes, it would also change Atlas Map 11 and 12.

Ms. Rambo clarified that the spots on the table that say To Be Determined, staff is in the process of finding out standard distances for those. Those will be filled in before the next step in the Amendment process.

*****Motion: Initiate an amendment to the City of Elko Master Plan and direct staff to bring the item back as a resolution and public hearing.**

Moved by Evi Buell, Seconded by Gratton Miller.

**Motion passed unanimously. (6-0)*

2. Election of officers, and matters related thereto. **FOR POSSIBLE ACTION**

Pursuant to Section 3-4-3 A. of the City Code, the Planning Commission shall elect a Chairperson, Vice-Chairperson and Secretary in January every year.

***Commissioner Tera Hooiman nominated Jeff Dalling for Chairman; a vote was taken and passed.**

***Chairman Jeff Dalling nominated Evi Buell for Vice-Chairman; a vote was taken and passed.**

***Chairman Jeff Dalling nominated Tera Hooiman for Secretary; a vote was taken and passed.**

3. Review, consideration, and possible action to develop the Calendar Year 2020 Planning Commission Annual Work Program, and matters related thereto. **FOR POSSIBLE ACTION**

Each year the Planning Commission reviews the Annual Work Program. The work program gives the Planning Commission direction on various issues to address throughout the year.

Ms. Laughlin went over the proposed 2020 work program.

*****Motion: Forward a recommendation to City Council to approve the Calendar Year 2020 Planning Commission Annual Work Program.**

Moved by Evi Buell, Seconded by Tera Hooiman.

**Motion passed unanimously. (6-0)*

II. REPORTS

A. Summary of City Council Actions.

Ms. Laughlin reported that the City Council on the 10th accepted Ian Montgomery's resignation. The vacancy has been advertised for three week, and there were two applicants. City Council will be appointing a new member on the 14th. City Council also amended the Performance Agreement with Humboldt Hills.

B. Summary of Redevelopment Agency Actions.

Ms. Laughlin reported that there would be a RAC Meeting on the 23rd, and probably an RDA meeting after that.

C. Professional articles, publications, etc.

1. Zoning Bulletin

D. Miscellaneous Elko County

E. Training

Ms. Laughlin reminded the Commissioners to get in their Financial Disclosure Statements.

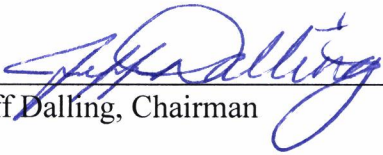
COMMENTS BY THE GENERAL PUBLIC

There were no public comments made at this time.

NOTE: The Chairman or Vice Chairman reserves the right to change the order of the agenda and if the agenda is not completed, to recess the meeting and continue on another specified date and time. Additionally, the Planning Commission reserves the right to combine two or more agenda items, and/or remove an item from the agenda, or delay discussion relating to an item on the agenda at any time.

ADJOURNMENT

There being no further business, the meeting was adjourned.



Jeff Dalling, Chairman



Tera Hooiman, Secretary