

**CITY OF ELKO**  
**PLANNING COMMISSION**  
**REGULAR MEETING MINUTES**  
**5:30 P.M., P.S.T., TUESDAY, MARCH 2, 2021**  
**ELKO CITY HALL, COUNCIL CHAMBERS,**  
**1751 COLLEGE AVENUE, ELKO, NEVADA**  
**<https://global.gotomeeting.com/join/144050125>**

**NOTE: The order of the minutes reflects the order business was conducted.**

**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:**     **Jeff Dalling**  
                  **Giovanni Puccinelli**  
                  **Stefan Beck**  
                  **Mercedes Mendive**

**Absent:**      **Tera Hooiman**  
                  **John Anderson**  
                  **Gratton Miller**

**City Staff Present:**   **Cathy Laughlin, City Planner**  
                              **Michele Rambo, Development Manager**  
                              **Bob Thibault, Civil Engineer**  
                              **Jamie Winrod, Fire Marshal**  
                              **Shelby Knopp, Planning Technician**

**PLEDGE OF ALLEGIANCE**

**COMMENTS BY THE GENERAL PUBLIC**

*There were no public comments made at this time.*

**APPROVAL OF MINUTES**

February 2, 2021 – Regular Meeting **FOR POSSIBLE ACTION**

**\*\*\*Motion: Approve the minutes from February 2, 2021 as presented.**

**Made by Giovanni Puccinelli, seconded by Stefan Beck.**

*\*Motion passed unanimously. (4-0)*

## I. NEW BUSINESS

### A. PUBLIC HEARING

2. Review, consideration, and possible action on Variance No. 1-21, filed by Real Estate Pro, LLC on behalf of Elevate Properties LLC., to allow required off street parking to be located within the interior side yard setback to within 3 ½' of the property line in 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 southeast side of Walnut Street, approximately 166' northeast of 4<sup>th</sup> Street. (452 Walnut Street - APN 001-025-003)

Cathy Laughlin, City Planner, went through the City of Elko Staff Report dated February 11, 2021. Staff recommended conditional approval with the findings and conditions listed in the Staff Report.

Michele Rambo, Development Manager, stated that she had no comments or conditions.

Bob Thibault, Civil Engineer, recommended approval with no other concerns.

Jamie Winrod, Fire Marshal, stated that she had no additional comments and recommended approval.

Ms. Laughlin reported that the City Manager's Office recommended approval as presented by staff.

**\*\*\*Motion: Conditionally Approve Variance No. 1-21 subject to the conditions in the City of Elko Staff Report dated February 11, 2021, listed as follows:**

1. **Variance 1-21 from Elko City Code section 3-2-17(D)(2)(a) is for approval of required off street parking in interior side yard setback with access from the alley.**
2. **Commencement within one year and completion within eighteen (18) months.**
3. **Conformance to plans approved as a part of the variance.**
4. **Subject to review in two (2) years if determined necessary by the planning commission.**

**Commissioner Puccinelli's findings to support the recommendation were the proposed variance is in conformance with the Land Use Component of the Master Plan is consistent with existing land uses in the immediate vicinity. The proposed variance is consistent with the Transportation Component of the Master Plan. The property is not located within the Redevelopment Area and consideration of the plan is not required. The proposed variance is consistent with City of Elko Wellhead Protection Plan. The proposed development as a single family residence conforms to Section 3-2-4 of City Code. A single lot or parcel of land of record in the office of the county recorder as of the effective date of the city subdivision ordinance (December 9, 1975), and which does not meet minimum requirements for lot area, lot width, or lot depth shall be considered a buildable lot for one single-family dwelling. Therefore, the minimum lot width of 60' and lot area of 5,000 sq. ft.**

is not required based on this exception. The proposed development is in conformance with Elko City Code 3-2-5(G) for the principal permitted use of a single family residence. The proposed development does not conform to Section 3-2-17 of City Code. A variance for the parking in the interior side yard setback would be required to be approved for the proposed development to be in conformance. In accordance with Section 3-2-22, the applicant has demonstrated that the hardship is the narrow lots created by File #3502 and the required width of 18' for the 2 off street parking. In accordance with Section 3-2-22, the applicant has demonstrated that the property has unique circumstances based on the fact that the lots are narrow and the width of 25' minus the 18' parking required is less than the required interior side yard setbacks. Granting of the variance will not result in material damage or prejudice to other properties in the vicinity. This finding is based on other similar properties within City of Elko which were built within the last 15 years. Granting of the variance will not substantially impair the intent or purpose of the zoning ordinance. Single Family is listed as a principal use in the underlying zone. Granting of the variance will not impair natural resources. The parcel is not located within a designated Special Flood Hazard Area.

Made by Giovanni Puccinelli, seconded by Mercedes Mendive.

*\*Motion passed unanimously (4-0)*

## **B. MISCELLANEOUS ITEMS, PETITIONS, AND COMMUNICATIONS**

1. Review, consideration and possible approval of Final Map No. 10-20, filed by Bailey & Associates, LLC, for the development of a subdivision entitled Ruby Mountain Peaks involving the proposed division of approximately 10 acres of property into 45 lots for residential development and 1 remainder lot within the R (Single Family and Multiple Family Residential) Zoning District, and matters related thereto. **FOR POSSIBLE ACTION**

The subject property is located on the east side of Jennings Way between Mountain City Highway and Bluffs Avenue. (APN 001-01A-014)

Nitin Bhakta, Summit Engineering, and Sheldon Hetzel, Bailey Homes, were both available to answer any questions.

Ms. Rambo went over the City of Elko Staff Report dated January 14, 2021. Staff recommended conditional approval subject to the findings and conditions listed in the Staff Report.

Ms. Laughlin and the City Manager's Office recommended conditional approval as presented.

Mr. Thibault went over the Engineering conditions listed in the Staff Report, and recommended conditional approval.

Ms. Winrod mentioned the Fire Department condition listed in the Staff Report, and recommended approval.

**\*\*\*Motion: Recommend that the City Council accept, on behalf of the public, the parcels of land offered for dedication for public use in conformity with the terms of the offer of dedication; that the final map substantially complies with the tentative map; that the City Council approve the agreement to install improvements in accordance with the approved construction plans that satisfies the requirements of Title 2, Chapter 3, and conditionally approve Final Map 10-20 with conditions listed in the Staff Report dated January 14, 2021, listed as follows:**

**Community Development:**

- 1. The Developer shall execute a Performance and Maintenance Agreement in accordance with Section 3-3-21 of City code. The Performance Agreement shall be secured in accordance with Section 3-3-22 of City code. In conformance with Section 3-3-21 of City code, the public improvements shall be completed within a time of no later than two (2) years of the date of Final Map approval by the City Council unless extended as stipulated in City code.**
- 2. The Performance and Maintenance Agreement shall be approved by the City Council.**
- 3. The Developer shall enter into the Performance and Maintenance Agreement within 30 days of approval of the Final Map by the City Council.**
- 4. The Final Map for Ruby Mountain Peaks is approved for 41 residential lots and 1 remainder lot.**
- 5. The Utility Department will issue a Will Serve Letter for the subdivision upon approval of the Final Map by the City Council.**
- 6. Site disturbance shall not commence prior to approval of the project's construction plans by the Nevada Department of Environmental Protection.**
- 7. Site disturbance, including clearing and grubbing, shall not commence prior to the issuance of a grading permit by the City of Elko.**
- 8. Construction shall not commence prior to Final Map approval by the City Council and issuance of a will-serve letter by the City of Elko.**
- 9. Conformance with the conditions of approval of the Tentative Map is required.**
- 10. The Owner/Developer is to provide the appropriate contact information for the qualified engineer and engineering firm contracted to oversee the project along with the required inspection and testing necessary to produce an As-Built for submittal to the City of Elko. The Engineer of Record is to ensure all materials meet the latest edition of the Standard Specifications for Public Works. The Engineer of Record is to certify that the project was completed in conformance with the approved plans and specifications.**

**Engineering:**

- 1. Update the year on the first page to 2021 for various signatures.**
- 2. Update the street name for the dedication offer in the owner's certificate.**
- 3. After the transfer of ownership to the Baileys, verify that the name in the owner's certificate matches the name used to take title.**
- 4. Update note 5 with correct Lot numbers. Confirm location of gang box easement. Civil plans show a different location.**
- 5. Correct delta symbols that show as question marks.**
- 6. In note 2, add mention of the easement along all street frontages.**

**Public Works:**

1. All public improvements at time of development per Elko city code.

**Utilities:**

1. Public utility improvements at time of development per approved plans and City code.

**Fire:**

1. Fire hydrants to be spaced per IFC 2018 Appendix C Table C192.1.

Commissioner Puccinelli's findings to support the recommendation were the Final Map for Ruby Mountain Peaks has been presented before expiration of the subdivision proceedings in accordance with NRS 278.360(1)(a)(2) and City Code. The Final Map is in conformance with the Tentative Map. The proposed subdivision is in conformance with the Land Use and Transportation Components of the Master Plan. The proposed development conforms with Sections 3-3-9 through 3-3-16 (inclusive). The Subdivider shall be responsible for all required improvements in conformance with Section 3-3-17 of City Code. The Subdivider has submitted construction plans in conformance with Section 3-3-18 of City Code. The Subdivider has submitted construction plans which, having been found to be in conformance with Section 3-3-20 of City Code, have been approved by City staff. The Subdivider will be required to enter into a Performance Agreement to conform to Section 3-3-21 of City Code. The Subdivider will be required to provide a Performance and Maintenance Guarantee as stipulated in the Performance Agreement in conformance with Section 3-3-22 of City Code. The proposed development conforms to Sections 3-2-3, 3-2-4, 3-2-5(E), 3-2-5(G), 3-2-17, and 3-8 of City Code.

Made by Giovanni Puccinelli, seconded by Mercedes Mendive.

*\*Motion passed unanimously (4-0)*

**A. PUBLIC HEARING**

1. Review, consideration, and possible action on Conditional Use Permit No. 1-21, filed by Elite Storage and RV, LLC, which would allow for commercial storage units, RV Storage and U-Haul services within a C (General Commercial) Zoning District, and matters related thereto. **FOR POSSIBLE ACTION**

The subject property is located on the northeast corner of the intersection of S. 12<sup>th</sup> Street and Opal Drive. (1500 Opal Drive - APN 001-630-056)

Dave Mitton said that the project was successful. They were 80% leased up and they were moving into Phase 2. By default they ended up with U-Hauls at their property. He stated that he spoke with Ms. Laughlin about it. They don't really like the U-Haul business, but in Elko it goes hand in hand with the storage facility business and the community really needs it. The only problem they are having is when people drop them off they are parking them on the street, but the employees are doing their best to keep them off the street. They were here to add U-Hauls to their Conditional Use Permit.

Ms. Laughlin went over the City of Elko Staff Report dated February 11, 2021. Staff recommended conditional approval with the findings and conditions listed in the Staff Report. She mentioned that she spoke to Mr. Mitton about people dropping off the U-Hauls. She suggested that they park them in the required parking spaces in front of the office, until staff comes in in the morning and moves them to a designated area inside the facility.

Chairman Jeff Dalling asked for clarification on where the parking was located.

Ms. Laughlin went over where the parking was located on the Site Plan that was included in the packet.

Chairman Dalling said that parking them in front of the office, if they were dropped off overnight, made sense, because the designated U-Haul parking was located behind the gate into the facility. As long as they were moved first thing in the morning into the U-Haul parking area.

Ms. Laughlin pointed out that the parking stalls that were located in front of the office were the required parking for the office space, so during business hours they would need to be available for the office. She thought there were solutions to the problem. Staff certainly wasn't recommending denial, they were recommending conditional approval. Staff would love to see Mr. Mitton expand his business and be able to provide a service for the community. We just want to make sure that all of the U-hauls aren't being parking in the City right-of-way.

Chairman Dalling asked Mr. Mitton if that sounded agreeable.

Mr. Mitton said yes. That was exactly what they had in mind. The problem is every once in a while there is a massive influx of drop-offs, but most of the time it is workable.

Ms. Rambo recommended approval with the conditions as presented.

Mr. Thibault recommended approval as presented by staff.

Ms. Winrod had no comments and recommended approval.

Ms. Laughlin reported that the City Manager's Office recommended approval as presented.

Commissioner Giovanni Puccinelli wanted to add that people don't always care where they are parking these U-Hauls when they are returning them. But it would create a sense of urgency to get the U-hauls moved so the storage customers would have access to their units.

**\*\*\*Motion: Conditionally approve Conditional Use Permit No. 1-21 subject to the conditions in the City of Elko Staff Report dated February 11, 2021, listed as follows:**

- 1. The conditional use permit is granted to the property owner allowing for the development of U-Haul rentals along with the approved commercial storage units and RV storage.**
- 2. The permit shall be personal to the property owner and applicable only to the specific use 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.

3. The conditional use permit shall automatically lapse and be of no effect one year from the date of its issue unless the permit holder is actively engaged in developing the specific property in use for which the permit was issued.
4. Conformance with conditions listed in approved CUP 3-17 & CUP 3-19.
5. The Conditional Use Permit is to be recorded with the Elko County Recorder within 90 days after the approval of the conditional use permit.
6. Parking for the U-haul rental trucks/trailers to be within the property and not allowed to be on the street nor allowed to be in the required off street parking stalls required for the office. Rental trucks/trailers are not to block any access to the existing storage units, fire lane or access to the property.
7. If washing trucks on-site, no water may enter the public right-of-way.

Commissioner Puccinelli's findings to support the recommendation were 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 3-2-10 (B) General Commercial within the approval of the Conditional Use Permit. The proposed development is in conformance with 3-2-3, 3-2-4, 3-2-17, 3-8, and 3-2-18 of the Elko City Code.

Made by Giovanni Puccinelli, seconded by Stefan Beck.

*\*Motion passed unanimously (4-0)*

## II. REPORTS

### A. Summary of City Council Actions.

*Ms. Laughlin reported at the City Council Meeting on February 11<sup>th</sup> they approved an agreement to rescind the offer of the City of Elko selling some property that was previously referred to as Well No. 16. The Planning Department handles land sales, purchases, and leases. There was an error found when this sale went to title. There was a small portion of the property that the City of Elko didn't own. That offer was rescinded and the Council approved to get a new appraisal on the property. The City Council approved the annual report for the Planning Commission. They also approved a resolution to authorize an expenditure for the RDA for the Block End Project. On the 23<sup>rd</sup> the City Council approved a third amendment to the WANRack Revocable Permit. They also approved Resolution 9-21 for the Rezone for Jordanelle Third Mortgage, as well as the Tentative Map for Zephyr Heights.*

B. Summary of Redevelopment Agency Actions.

*Ms. Laughlin reported that there was a Redevelopment Agency meeting on the 23<sup>rd</sup>. They approved their annual report, an extension for the Braemar Storefront Improvement Grant, and revisions to the Guidelines and Agreement for the Storefront Improvement Grant. They also awarded the bid of the Block Ends Project to MKD Construction. Staff was recommending that they rebid the project. There were six bids received for that project, five of which were all over budget. The one bid that was within budget was considered non-responsive, as it was missing a required form. By missing that form it was \$103,000 difference between the lowest bid and the next bid up. The Redevelopment Agency, instead of going out to bid again, went ahead and spent that extra \$103,000 and awarded the bid to MKD. That construction will begin this month.*

C. Professional articles, publications, etc.

1. Zoning Bulletin

D. Miscellaneous Elko County

E. Training

*Ms. Laughlin reported that she wasn't sure if the April meeting would be a Gotomeeting again. They are going to start having the City Council meetings in the Council Chambers, but staff will not be able to attend. They will have to be on GoToMeeting in order to allow the public to attend. With only five Council members it is easier to spread them out. Ms. Laughlin said she would try her hardest to get the April Planning Commission in the Council Chambers, but she wasn't sure if administration would allow it. Ipads have been ordered, but have not yet arrived. The new Agenda Management program is not up and running yet, so it might be a few months before you get the Ipads.*


**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 \(Apr 29, 2021 10:16 PDT\)](#)  
Jeff Dalling, Chairman

  
[Tera R. Hooiman \(Apr 29, 2021 14:31 PDT\)](#)  
Tera Hooiman, Secretary