

CITY OF ELKO
PLANNING COMMISSION
REGULAR MEETING MINUTES
5:30 P.M., P.S.T., TUESDAY, MARCH 6, 2018
ELKO CITY HALL, COUNCIL CHAMBERS,
1751 COLLEGE AVENUE, ELKO, NEVADA

CALL TO ORDER

David Freistroffer, Vice-Chairman of the City of Elko Planning Commission, called the meeting to order at 5:30 p.m.

ROLL CALL

Present: **David Freistroffer**
 Jeff Dalling
 John Anderson
 Kevin Hodur
 Stefan Beck (*excused himself at 6:43 p.m.*)
 Tera Hooiman (*arrived at 5:32p.m.*)

Absent: **Vacancy**

City Staff: **Scott Wilkinson, Assistant City Manager**
 Bob Thibault, Civil Engineer
 Jeremy Draper, Development Manager
 Cathy Laughlin, City Planner
 Shelby Archuleta, Planning Technician
 John Holmes, Fire Marshal

PLEDGE OF ALLEGIANCE

COMMENTS BY THE GENERAL PUBLIC

There were no public comments made at this time.

APPROVAL OF MINUTES

February 6, 2018 – Regular Meeting **FOR POSSIBLE ACTION**

*****Motion: Approve the minutes from the February 6, 2018 meeting.**

Moved by Kevin Hodur, Seconded by Stefan Beck.

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

I. NEW BUSINESS

A. PUBLIC HEARING

1. Review, consideration, and possible action of Conditional Use Permit No. 2-18, filed by Boys & Girls Club of Elko, Inc., which would allow for the expansion of an existing building within a PQP (Public, Quasi-Public) Zoning District, and matters related thereto. **FOR POSSIBLE ACTION**

The subject property is located generally on the southeast corner of the intersection of Country Club Drive and Convention Drive. (APN 001-560-092)

Tom Hannum, President of the Elko Boys and Girls Club, 202 Charwood Drive, Spring Creek, stated that he was happy with all of the conditions and said he was available for questions.

Cathy Laughlin, City Planner, explained that the application was for a Conditional Use Permit as required under the Code 3-2-8 (D), in the PQP Zoning District. The proposed Conditional Use would supersede CUP 11-12, which was previously approved for the Boys and Girls Club's current facility. The Master Plan Land Use shows this as Public. PQP is a corresponding zoning district for Public; therefore, it is in conformance with the Land Use Component of the Master Plan. It meets Objective No. 3 of the Master Plan, which is to strengthen, preserve, and promote the area around the City Park, City Hall, and the Convention Center as a civic heart of the community. Transportation Component of the Master Plan; the Master Plan identifies Country Club Drive as a Collector Roadway. The only access into the parcel is off Country Club Drive. There is pedestrian access around both frontages of the property. Staff feels that the project meets Best Practice Objective No. 1 in the Transportation Document, to provide a balanced transportation system that accommodates vehicles, bicycles, and pedestrians, while being sensitive to, and supporting adjacent land uses. There is a lot of pedestrian use to the facility, because it is located across the street from a school. Elko Wellhead Protection Plan, the property is located within a 5-year capture zone, and development would be required to conform to the Wellhead Protection Plan. Under Section 3-2-3 the General Provisions, as stated before, an expansion to any use within the PQP Zoning District requires a Conditional Use Permit. Therefore, they have met the conformance with the section of Code 3-2-3 with the Conditional Use Permit. The City feels that the suitability of parcel, and the expansion that is proposed, does not create any issues with Section 3-2-3 (D) of the City Code. Section 3-2-4 the Establishment of the Zoning Districts, the proposed development does not conform to PQP, the reason being that rear setback is not being met, but they do have an existing variance and we will be discussing that with the next application. If the new Variance is approved it will supersede the old one, and bring the property into conformance with Section 3-2-4. Section 3-2-8, which is PQP, the intent of the district is to accommodate public and Quasi-Public institutional uses. The PQP design development standards are a little different from the other zoning districts. The total ground floor area of the building shall not exceed 35% of the net site area. The minimum setback from any street line is not less than one and a half times the height of the principle building, which is being met. The interior side and rear lot lines is not less than the height of the principle building, plus one additional foot for each five feet that such building exceeds 35 feet in the aggregate horizontal dimension of the wall generally parallel to such side or rear lot line. The property does not conform, but if the variance is approved it will bring the property into conformance

with Section 3-2-8 of the Code. 3-2-17, the current facility is in conformance with the parking requirements. Staff has also calculated it with the new additional space, and they are still in conformance.

Commissioner Jeff Dalling mentioned that their parking was horrible. He asked if their parking was suitable with the addition. He said parking was usually down Country Club Drive and Convention Drive.

Jeremy Draper, Development Manager, explained that in 2011, the Boys and Girls Club partnered with the Convention Center and the School District, and they received a memorandum of understanding between the three parties, so they can use the adjacent properties for parking. That's one of the ways they conform to the code.

Ms. Laughlin continued to Section 3-8, the Floodplain Management section, the property is not located within a designated floodplain. Staff recommends approval with the conditions listed in the Staff Report dated February 22, 2018.

Mr. Draper wanted to go through the site plan for the Planning Commission. He explained that there was an existing principle building; the gym was an accessory building to the principle building. When the setbacks were calculated, they were based off the principle building. The Planning Commission at the time approved the location of the accessory building. In a PQP Zone, an accessory building can be attached or detached from the principle building. He pointed out the new area for the teen club, which comes pretty close to the existing property line. He also pointed out the accessory structure, which will be used for storage. He explained that the hatched area on the site plan was an area they were working with NDOT on for a long-term lease, which would provide the applicant with additional yard space. It will remain outside of the property, which is, as we get into the variance, why the variance will be setback so close. Staff felt like the additional yard space was justification for providing the variance. He then went over the Development Department conditions. He mentioned that the Planning Commission would need to be specific about the location of the accessory building in their motion.

Bob Thibault, Civil Engineer, and John Holmes, Fire Marshal, had no additional comments, and recommended approval.

Scott Wilkinson, Assistant City Manager, recommended approval as presented by staff. He called attention to the Planning Commission and to the Applicant, under the variance there was a condition in Code that the proposed project be completed within a certain time frame. Staff went through this with the Boys and Girls Club previously, where the timing wasn't going to match up with their project. As the Planning Commission considered this item and the variance, he wanted to make sure the applicant was aware of that and that it met their time line. He explained that a variance was good for 18 months under the Code.

Mr. Hannum explained that he was aware of the 18-month period and that the project was scheduled to be built this year. The only thing that would hold that back was if the donor pulled their donation.

*****Motion:** Conditionally approve Conditional Use Permit No. 2-18 subject to the conditions in the City of Elko Staff Report dated February 22, 2018, listed as follows:

Development Department:

Included in Memorandum dated February 22, 2018 from Community Development Manager

1. The permit is granted to the applicant Boys and Girls Club of Elko.
2. The permit shall be personal to the permittee 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. Staff recommends the Planning Commission approve the location of the Accessory Building as required in 3-2-8-E-2.
4. A variance for the interior side yard setback for the principal building is required for a reduction in the setback from 49'-5" to 7'-0" as shown on the plan. Staff is in support of this reduction based on the irregular shape of the lot and the Boys and Girls Club obtaining a long term lease from NDOT for an additional 30' along this property line.
5. Slope stabilization will be required on all slope areas.

Planning Department Conditions:

1. The CUP 2-18 be approved for the building layout as shown in the provided site plan Exhibit A. Including the detached accessory building.
2. CUP 2-18 to be recorded with the Elko County Recorder within 90 days after the commencement of the expansion to the current facility.
3. The exterior of the building shall be compatible with the existing building.

Commissioner Hodur's findings to support his recommendation was 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 expansion of the 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 3-2-8 PQP, Public-Quasi, Public with the approval of the Conditional Use Permit. 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 Kevin Hodur, Seconded by Tera Hooiman.

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

2. Review, consideration, and possible action on Variance No. 2-18, filed by Boys & Girls Club of Elko for a reduction of the required rear yard setback for the principle structure from 49' 5" to 7', in conjunction with a Conditional Use Permit to allow for expansion of an existing building within a PQP (Public, Quasi-Public) Zoning District, and matters related thereto. **FOR POSSIBLE ACTION**

The subject property is located generally on the southeast corner of the intersection of Country Club Drive and Convention Dive. (APN 001-560-092)

Ms. Laughlin went over the City of Elko Staff Report dated February 26, 2018. Staff recommended approval with the conditions and findings listed the Staff Report. She then went through the Planning Department conditions.

Mr. Draper said the Development Department agreed with the Planning Department's presentation. With the findings of granting of the variance, he recommend approval of the variance as presented.

Mr. Thibault and Mr. Holmes had no comments, and recommended approval.

Mr. Wilkinson recommend approval as presented by staff. He directed the Planning Commission's attention to the findings presented on page 5 and 6 of the Staff Report. He suggested they consider referencing those findings for the record.

Vice-Chairman David Freistroffer pointed out that there was a comment in the Staff Report that it doesn't generally apply to properties in the PQP, he also thought that was true. He thought it was a good variance. They don't like doing many variances, but this one seemed to be consistent and seemed to be a function of the shape and topography of the parcel.

*****Motion:** Conditionally approve Variance No. 2-18 subject to the conditions in the City of Elko Staff Report dated February 26, 2018 listed as follows:

Planning Department Conditions:

1. Granting of the variance is conditioned upon approval of CUP 2-18 for the expansion of the property within a PQP – Public, Quasi-Public zoning district.
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.

Building Department:

1. Exterior walls less than ten feet (10') from property line for this type of building use and construction type must comply with 2009 IBC with a 1 hour fire rating.

Commissioner Hodur's findings to support his recommendation was the applicant has demonstrated the proposed hardship as developing a geometrically challenged parcel. In addition, the Planning Commission has made this finding under a prior variance application. In an effort to minimize the issue, the applicant is entering into a long-term lease with a State agency abutting the property. The circumstance presents an exceptional difficulty in expansion of the facility to meet the needs of the community. The special circumstance does not apply generally to other PQP zoned properties within the vicinity. Granting of the variance will not result in material damage or prejudice to other properties in the vicinity. Granting of the variance will not substantially impair the intent or purpose of the zoning ordinance. Granting of the variance will not impair natural resources. The proposed variance is consistent with the Land Use component of the Master Plan. The setback standards for the PQP zone applied to existing parcels within the areas identified under Objective 3 complicate efforts in preserving and

promoting the City Park, City Hall and Convention Center as the civic heart of the community. The Boys and Girls Club, Public schools and other civic uses support the effort. The proposed variance is consistent with the Transportation Component of the Master Plan. The proposed zone district, intensity of use and limitations of intensity of use will not create any significant cumulative issues on the existing transportation system. The proposed variance is consistent with City of Elko Wellhead Protection Plan. The proposed use of the property and allowed uses under the proposed district do not present a hazard to City wells. The property does not conform to Section 3-2-4 of City Code. Approval of the variance application is required to bring the property into conformance. The proposed variance is not in conformance with Section 3-2-8 Public, Quasi-Public. Approval of the variance application is required to bring the property into conformance. The parcel is not located within a designated Special Flood Hazard Area. It does not appear that granting of the variance will result in material damage or prejudice to other properties in the vicinity, nor will granting of the variance be detrimental to the interest, health, safety and general welfare of the public. The proposed variance is consistent with surrounding land uses.

Moved by Kevin Hodur, Seconded by Stefan Beck.

**Motion passed unanimously.*

3. Review, consideration, and possible adoption of Resolution 1-18, containing amendments to the Atlas Map #8 of the City of Elko Master Plan, and matters related thereto. **FOR POSSIBLE ACTION**

Planning Commission reviewed and initiated the amendment to the City of Elko Master Plan at its February 6, 2018 meeting.

Ms. Laughlin explained that they just did a Master Plan amendment, but they made a mistake and overlooked some areas on the Land Use Map that should have been changed with the previous amendment. She wanted to go over the areas that staff was proposing to change. She also added that there was a detailed memo in the packet. The biggest change was at Exit 298. The lower portion was going to Highway Commercial and upper portion going to Industrial Business Park. Staff did an analysis of the commercial districts, key element points in the community that are called out in the Master Plan for commercial land use. Exit 298 was not listed in the Master Plan as a core area for commercial, but staff felt that it was. Staff had seen some proposed development on Exit 298 with the water line extension done, and staff felt that there would be additional commercial development in that area. In the memo, staff analyzed what was remaining in Elko, what the rate of commercial land use that was being utilized and developed, and with that Staff felt that it justified adding this 256 acres to the Master Plan under Commercial Land Use. It was proposed as Highway Commercial, which means a rezone could be approved as Industrial Commercial. Staff was proposing Industrial Business Park, north of the Highway Commercial, rather than General Industrial. Staff didn't feel like that was the right location for industrial type uses. This way it would keep this area as a central hub for commercial and light industrial uses. There is also an area up North 5th Street, which was requested from Assistant City Manager Scott Wilkinson after a Stage 1 Subdivision Meeting. It was previously labeled as high-density and staff was proposing medium density. The reason was that there was a Development Agreement currently in place for single-family residential or

medium density residential. There are also some parcels adjacent to the Peace Park. They are currently developed with commercial uses and they were labeled as medium density residential, so staff is proposing it be changed to Commercial to meet the existing land use. The Court House and the Court House parking lot, which was labeled as mixed use and residential, respectively. Staff was proposing to change those areas to Public. The area surrounding the City Park. The old police station, the clinic, the VFW, Masonic Lodge, and the Girl Scout House were previously labeled as medium density residential. Staff is proposing those are changed to Public to meet the land use. The area adjacent to the Basque Clubhouse was proposed as Public as well. Across I-80, the Senior Center was labeled as medium density residential and should be changed to Public. The large Industrial change, which was discussed at the last meeting. It is all UP property. From 15th Street to Union Pacific Way would be Industrial Business Park, and General Industrial from Union Pacific Way out to the end of City Limits. That area previously had no designation.

Mr. Draper explained that staff did an extensive analysis of the commercial change with the Development Report, which is continually updated. One of the alarming things was the absorption rate that has been seen on commercial property and what is left in the City of Elko. Since 2012, the Jennings area had an absorption rate of 1%, and due to recent activity at the 303 Exit, it is now just over 7%. With the higher percentage rates of absorption staff felt that it was appropriate to designate some of the land to commercial to allow for future commercial growth.

Mr. Thibault and Mr. Holmes had no comments.

Mr. Wilkinson recommend approval as presented by staff.

Commissioner Stefan Beck asked if Mr. Draper could explain absorption.

Mr. Draper explained that when staff looks at the absorption rate, they look at land that was vacant that is now fully developed.

Ms. Laughlin explained that the changes were listed in the staff memo.

Mr. Wilkinson suggested the Planning Commission read the more significant changes into record.

*****Motion: Adopt Resolution No. 1-18, containing amendments to the Atlas Map #8 of the City of Elko Master Plan, directing that an attested copy of the forgoing parts, amendments, extensions of and/or additions to the Elko City Master Plan be certified to the City Council; further directing that an attested copy of this Commission's report on the proposed changes and additions shall have be filed with the City Council; and recommending to City Council to adopt said amendments by resolution.**

The Resolution includes the following changes to Atlas Map #8:

- **Does not change the designation of the area west of the interchange to a proposed industrial use**
- **Changes North and west of Cattle Drive to Industrial Business Park from General Industrial**

- **Changes East and South of Cattle Drive to Commercial Highway**
- **Several Public parcels to Public**
- **UP property from approximately 15th Street to Union Pacific Way to Industrial Business Park, Union Pacific Way to the City of Elko Boundary General Industrial**
- **Developed parcel north of I-80, south of Ruby Vista Drive and West of College Parkway to Commercial Highway**
- **High Density Residential to Medium Density Residential in the vicinity of Dakota Drive and Copper Trail**

Commissioner Hodur's findings to support its recommendation are the proposed amendment is consistent with the Land Use Component of the City of Elko Master Plan as follows: The proposed amendment meets Objective 6 of the Master Plan. The proposed amendment is consistent with Best Practice 6.2 of the Master Plan. The proposed amendment is consistent with the Transportation Component of the City of Elko Master Plan as the proposed land use designation is supported by the existing and proposed roadway infrastructure. The proposed amendment is consistent with the City of Elko Development Feasibility, Land Use, Water and Sewer Infrastructure, and Annexation Potential Report by supporting recent City actions in the vicinity and addressing potential shortfalls of designated Highway Commercial areas across the community. The proposed designation is not in conflict with the City's Redevelopment Plan. The proposed designation is not in conflict with the City's Wellhead Protection Plan. The proposed designation is not located in a special flood hazard area.

Moved by Kevin Hodur, Seconded by Stefan Beck.

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

B. MISCELLANEOUS ITEMS, PETITIONS, AND COMMUNICATIONS

1. Review, consideration, and possible action and possible approval of Final Plat No. 4-18, filed by Jordanelle Third Mortgage, LLC, for the development of a subdivision entitled Tower Hill Unit 1 involving the proposed division of approximately 33.804 acres divided into 23 lots and 2 remainder parcels for residential development within the R1 (Single Family Residential) Zoning District, and matters related thereto.

FOR POSSIBLE ACTION

The subject property is located generally southeast of the terminus of Stitzel Road. (001-920-079).

Scott MacRitchie, Jordanelle Third Mortgage, 312 Four Mile Trail, said he did not have a presentation. He wanted to thank Mr. Draper for the information he passed along from NDOT, so they could get started on the shared use path.

Ms. Laughlin went through the City of Elko Staff Report dated February 27, 2018. Staff recommended conditional approval with the conditions listed in the Staff Report.

Mr. Draper stated that the Development Department recommended approval of the Final Plat. He explained that the density of Unit 1 was 3.96 lots per acre. With medium density residential in

the Master Plan, it is at 5 to 8 units per acre. There are two remainder parcels. Parcel A was included in an approved part of the Preliminary Plat. Parcel B is outside of the current water zone and therefore is not included with the Preliminary Plat and will be developed when water is available for that parcel. There are some plans for a Shared Use Path along Lamoille Highway. Even though this property has no direct access to Lamoille Highway, but it does have frontage along Lamoille Highway. Anytime there is frontage they are required to make the required improvements on the frontage. As was discussed several years ago with the developer, with the three units of development for the subdivision, the improvements along Lamoille Highway were broken up across the three units. For Phase 1 Unit 1 they are required to do an equivalent of 303 lineal feet of improvements. The Shared Use Path was approved by the City Council. It is a pathway that will go from Pinion Road up to Errecart Boulevard, be offset from the Highway, and provide pedestrian and bicycle access to the area. There is currently no pedestrian access to the Hospital area. The idea is that it would eventually connect to Spring Creek and tie into the shared use path that is out there. Mr. Draper explained that he had an error in his memo. He identified Stitzel Road as a Collector Roadway, when it is considered a residential local roadway. The Master Plan identifies Stitzel as a Collector Roadway from Pinion Road up to Liberty. One of the requirements within the Subdivision Code is that Local Roadways are to discourage pass through traffic. Stitzel Road does not do that, in this case it actually promotes traffic through to Powder House Road. Due to potential volumes on Stitzel Road through this area staff feels that it is still appropriate that it was considered a Local Roadway. He explained that typically, anytime standards are modified for a subdivision there is a finding. In the case of the frontage improvements along Lamoille Highway, since Council has already taken the action on September 23, 2014, staff didn't believe that a Modification of Standards was required for requiring the public improvements as part of the shared use plan. No Modifications of Standards is required for this subdivision. He then went through the Development Department conditions.

Mr. Thibault said the Engineering Department recommended approval and had two conditions, which had already been addressed.

Mr. Holmes had no comments.

Mr. Wilkinson recommended approval as presented by staff. He stated that the verification of the bearings needed to be completed before the map was presented to the City Council. He also recommended that the Planning Commission consider an additional condition that the Performance Agreement is drafted, and the draft is submitted to the City Council in conjunction with the Final Plat.

Tom Ballew, High Desert Engineering, 640 Idaho Street, explained that Mr. Thibault's condition regarding the bearing issue had been corrected, along with the issues with the jurats. All of the errors had been taken care of and submitted to staff.

Mr. MacRitchie said in the designation of Stitzel being a Residential Road verses a Collector Road. From what he understood, they were to going to keep the 60-foot right-of-way, but it would remain a Residential Road. That goes back to Type 1 curb verses rolled curb. They now have options with that.

Mr. Draper thought they had options with that. He said it also went to driveway spacing. Code requires Residential Local Roadways that the driveways can be spaced 10-feet apart, for a Collector Roadway, for residential access, it is 25-feet.

*****Motion:** Forward a recommendation to City Council to conditionally approve Final Plat No. 4-18 subject to the conditions in the City of Elko Staff Report dated February 27, 2018 listed as follows:

Development Department

(See Memorandum from Development Manager Jeremy Draper dated February 26, 2018)

1. The Developer shall execute a Performance Agreement in accordance with Section 3-3-44 of city code. The Performance Agreement shall be secured in accordance with Section 3-3-44 of city code. In conformance with Section 3-3-44 of city code, the public improvements shall be completed within a time of no later than two (2) years of the date of Final Plat approval by the City Council unless extended as stipulated in city code. The developer shall enter into the Performance Agreement within 30 days of approval of the final plat by City Council.
2. The final plat is approved for 23 single-family residential lots and 2 remainder lots.
3. The Utility Department will issue a Will Serve Letter.
4. State approval of the subdivision.
5. Lot 122 shall have access restricted to Chukar Drive; a note shall be added to the final plat **prior to City Council consideration.**
6. Update the dates in the jurats to reflect 2018 **prior to City Council consideration.**
7. Conformance with Preliminary Plat conditions.
8. Public improvements are required on the State Route 227 frontage or on the south-southwest side of the State Route in accordance with NDOT approval. The extent, location and type of public improvements will be determined through the review and approval process for the civil improvement plans.
9. Civil improvements are to comply with Chapter 3-3 of City code.
10. Final approval for civil improvement plans.
11. State approvals for the subdivision.
12. 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 Standard Specifications for Public Works. All Right-of-Way and utility improvements are to be certified by the Engineer of Record for the project.

Engineering Department

1. Verify the bearings on Lines L7 and L9. They do not match the bearing of the overall line.

Planning Commission:

1. The proposed Performance Agreement is to be submitted to the City Council in conjunction with the plat.

Commissioner Hodur's findings to support his recommendation are the subdivision is in conformance with the Land Use and Transportation Components of the Master Plan. The

subdivision is in conformance with 3-2-4 Establishment of Zoning Districts, 3-2-5(B) Single-Family Zoning Districts, 3-2-17 Traffic, Access, Parking and Loading Regulations, 3-3-6 Final Plat (Stage III), and 3-3-8 Information required for Final Plat Submission. The subdivision is in conformance with 3-3-20 General Provisions for Subdivision Design. The subdivision does not appear to be unsuitable for use by reason of flooding, concentrated runoff, inadequate drainage, adverse soil or rock formation, extreme topography, erosion susceptibility or similar conditions which are likely to prove harmful to the health and safety and general welfare of the community or the future property owners. The subdivision is in conformance with 3-3-21 Street Location and Arrangement, 3-3-22 Street Design, 3-3-23 Block Design, 3-3-24 Lot Planning as modified by the Development Agreement, 3-3-25 Easement Planning, 3-3-26 Street Naming, 3-3-27 Street Lighting Design Standards, 3-3-40 Responsibility for Improvements, 3-3-41 Engineering Plans, 3-3-42 Construction and Inspection, and 3-3-43 Required Improvements. The sub-divider shall enter into a performance agreement to address the conditions found in 3-3-44 Agreement to Install Improvements. The sub-divider shall provide a performance guarantee as stipulated in the performance agreement and 3-3-45 Performance Guarantee. The subdivision is in conformance with 3-8 Floodplain Management. The Final Plat is in conformance with the Preliminary Plat.

Moved by Kevin Hodur, Seconded by Stefan Beck.

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

Commissioner Beck excused himself at 6:43 p.m.

2. Review, consideration, and possible action to initiate an amendment to the City Zoning Ordinance, specifically Sections 3-2-11 IBP, IC Industrial Districts, and matters related thereto. **FOR POSSIBLE ACTION**

Ms. Laughlin explained that this was an initiation to a Zoning Ordinance Amendment. Staff revised this Section of the Code in late 2016. It was just recently that staff realized with an existing parcel that it would be hard to control the development standards of the property as it was stated previously in the Code. The way it was stated previously was if it was an Industrial use they would meet the guidelines and design development standards of Light Industrial, which would be a 10-foot setback. If it were a Commercial use, then they would be under the design development standards of the Commercial Zoning District, which is a zero setback. In twenty years, it would be impossible for staff to know if a property was developed to the Commercial standards, or the Light Industrial standards. It would have been hard for staff to enforce and follow. Staff is proposing in the IC District that all required setbacks be 5-feet for all uses.

Mr. Draper, Mr. Thibault, and Mr. Holmes had no comments.

Mr. Wilkinson recommended approval as presented by staff.

*****Motion: Initiate an amendment to Section 3-2-11 IBP, IC Industrial Districts, and direct staff to bring the item back as a public hearing.**

Moved by Kevin Hodur, Seconded by Tera Hooiman.

****Motion passed unanimously. (5-0)***

3. 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. Staff overlooked the requirement for the agendas in January and February.

Vice-Chairman Freistroffer explained that they needed to elect a Chairperson, Vice-Chairperson, and a Secretary. He asked Ms. Laughlin to explain the responsibilities of each position.

Ms. Laughlin apologized for not getting the election on the January or February agendas. She explained that staff was anticipating Mr. Martinez's resignation in January and February, and she was waiting for his resignation to hold the elections, because there would have had to be an election after that anyways. Staff received Mr. Martinez's resignation and the City Council accepted it, therefor staff is now advertising for the vacancy. The Chairman's responsibilities include conducting all business at the meetings; attend Stage 1 Subdivision meetings, and other meetings as needed. The Secretary is responsible for signing the minutes and other Planning Commission documents. Vice-Chairman conducts the meetings when the Chairman is absent, and attends the Stage 1 Meetings if the Chairman is not available.

Vice-Chairman Freistroffer added that there is an Agenda Meeting with the City Planner, but it's not required.

Ms. Laughlin explained that it is not required and is informal. Mr. Martinez would reach out to her to go over the agenda and make sure all matters were being addressed. She stated that it was up to the Chair, if they wanted to have that meeting or not.

*****Commissioner Dalling nominated David Freistroffer as Chairman; a vote was taken and passed unanimously.**

*****Chairman Freistroffer nominated Jeff Dalling as Vice-Chairman; a vote was taken and passed unanimously.**

*****Chairman Freistroffer nominated Tera Hooiman as Secretary; a vote was taken and passed unanimously.**

II. REPORTS

A. Summary of City Council Actions.

Ms. Laughlin reported on February 13th City Council held the first reading for the Surebrec and Swire Annexation, both were approved. The second reading was held for the Marijuana Ordinance, which was approved. On February 27th the City Council approved the Annual Report. They also held the second readings for the Swire and

Surebrec Annexations, and those were approved. They accepted Aaron's resignation and authorized staff to advertise for the vacancy. They will also be presenting a plaque to Aaron this upcoming Tuesday. City Council also approved the rezone for Surebrec property, approved the rezone for Swire Coca-Cola, approved the rezone for MRP, and approved the rezone for Jason Land.

B. Summary of Redevelopment Agency Actions.

Ms. Laughlin reported that the RDA authorized the City to move into Project No. 2 of the Downtown Corridor Project, and have allocated an addition \$50,000 to the Storefront. The Storefront Grant Applications are due on March 30th.

C. Professional articles, publications, etc.

1. Zoning Bulletin

D. Preliminary agendas for Planning Commission meetings.

Ms. Laughlin reported that Jason Land has submitted an application for a Conditional Use Permit. We also have another Annexation Application and a Preliminary Plat application. The Ord on the Zoning Amendment will be coming back.

E. Elko County Agendas and Minutes.

F. Planning Commission evaluation. General discussion pertaining to motions, findings, and other items related to meeting procedures.

Commissioner Tera Hooiman asked if there had been anything on the Halfway house.

Ms. Laughlin said she had been in communication with their attorney. When City Council gave those 180 days to complete the process of determining how they could accommodate the parking for the use, staff had met with them on their options. Ms. Payne got some quotes for a surveyor for the applications she would have to submit, and according to her attorney, they don't have the funds available to hire the surveyor at this point, so they would like an extension on the 180 Days. Staff has determined that they would have to come for a completely new Conditional Use Permit. She was getting quite a few complaints on the property, but those stopped after Cowboy Poetry. She hopes that the applicant continues to work with the City and get the requirements met.

Commissioner Dalling thought the Planning Commission should look at parking lots, and what constitutes a parking lot.

Ms. Laughlin explained that Section 3-2-17 addresses a lot of that.

Commissioner Dalling said there are a lot of parking lots in town that aren't parking lots.

There was further discussion regarding parking lots.

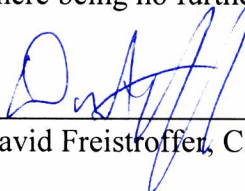
G. Staff.

COMMENTS BY THE GENERAL PUBLIC

There were no public comments made at this time.

ADJOURNMENT

There being no further business, the meeting was adjourned.



David Freistroffer, Chairman



Tera Hooiman, Secretary