

**CITY OF ELKO**  
**PLANNING COMMISSION**  
**REGULAR MEETING MINUTES**  
**5:30 P.M., P.S.T., TUESDAY, APRIL 4, 2017**  
**ELKO CITY HALL, COUNCIL CHAMBERS,**  
**1751 COLLEGE AVENUE, ELKO, NEVADA**

**CALL TO ORDER**

The meeting was called to order at 5:30 p.m. by Aaron Martinez, Chairman of the City of Elko Planning Commission.

**ROLL CALL**

**Present:**       **David Freistroffer**  
                  **Aaron Martinez**  
                  **John Anderson**  
                  **Kevin Hodur**  
                  **Stefan Beck.**

**Excused:**       **Tera Hooiman**  
                  **Jeff Dalling.**

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

**PLEDGE OF ALLEGIANCE**

**COMMENTS BY THE GENERAL PUBLIC**

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

**APPROVAL OF MINUTES**

March 7, 2017 – Regular Meeting **FOR POSSIBLE ACTION**

**\*\*\*Motion: Approved the Planning Commission Meeting Minutes from March 7, 2017 as presented.**

**Moved by David Freistroffer, Seconded by Kevin Hodur.**

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

## I. NEW BUSINESS

### A. PUBLIC HEARINGS

1. Review, consideration, and possible action on City Zoning Ordinance Amendment 1-17, Ordinance No. 818, specifically Sections 3-2-2 Definitions, Section 3-2-18 Conditional Use Permits, Section 4-1-2 Definitions and Section 4-1-20 Home Occupations, and matters related thereto. **FOR POSSIBLE ACTION**

Cathy Laughlin, City Planner, explained after the last meetings discussion regarding legal non-conforming uses the ordinance was revised. Just one sentence was added to Section L. Legal Counsel reviewed the revision and recommended approval.

Bob Thibault, City Engineer explained that any comments from the Engineering and Development Departments had already been included in the Ordinance.

Scott Wilkinson, Assistant City Manager, recommended approval.

John Holmes, Fire Marshal, had no concerns.

Commissioner Kevin Hodur pointed out that there was a typo in Section L.

**\*\*\*Motion: Forward a recommendation to City Council to adopt an ordinance which would approve Zoning Ordinance Amendment 1-17 as presented, with the correction of the typographical error in Part L of Section 3-2-18.**

**Moved by David Freistroffer, Seconded by Kevin Hodur.**

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

2. Review, consideration, and possible action on Conditional Use Permit No. 2-17, filed by 12<sup>th</sup> Street Associates LLC, which would allow for the development of a commercial building adjacent to a (RMH) Mobile Home Park and Mobile Home Subdivision District, and matters related thereto. **FOR POSSIBLE ACTION**

The subject property is located generally on the Northwest corner of Opal Drive and S 12<sup>th</sup> Street. (APN 001-630-093 & 001-630-094)

Nitin Bhakta, Summit Engineering, 1150 Lamoille Hwy, explained that this site was in last year for a Conditional Use Permit, they were proposing five buildings on the site. Since then the owner has decided to combine the last two buildings into one building, which would be about 19,000 square feet.

Ms. Laughlin explained that they had a previous Conditional Use Permit for this property, it was approved in 2013. In that Conditional Use Permit there was a maximum size restriction on the building, which was based on the previous application and the previous plan that was submitted

for the development. The new proposed development is taking the two buildings that were previously proposed and combining them, therefore the new Conditional Use Permit was required. The conditions are listed in the staff report that was included in the packet, as well as the previous Action Report from April 2, 2013, which lists several conditions.

Chairman Aaron Martinez asked if the conditions had been met from the initial Conditional Use Permit.

Ms. Laughlin explained that some of them had been met and some of them were part of the development for the whole project, so they hadn't been completed yet. Staff has also added some additional conditions, because of the property line now going through the middle of the proposed building. They will have to do a Parcel Map or a Reversion to Acreage to eliminate that property line.

Mr. Thibault explained that the Engineering Department just had the one condition regarding the property line, which was listed in the staff report.

Mr. Wilkinson recommend approval.

Mr. Holmes recommended the eleven conditions from the Fire Department listed in the previous Conditional Use Permit.

Chairman Martinez asked what percentage of the landscaping had been completed for this project.

Mr. Bhakta explained that about two-thirds of the landscaping had been completed.

**\*\*\*Motion: Conditionally approve Conditional Use Permit No. 2-17 with the 18 Conditions listed in the Staff Report dated April 4, 2017 listed as follows:**

**Development Department:**

Included in Memorandum dated March 23, 2017 from Community Development Manager

1. The conditional use permit is granted to the property owner(s) allowing for the construction of up to three building pads with a maximum size of 19,000 sf.
2. The permit shall be personal to the property owner(s) 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 property owner records the conditional use permit.
4. The conditional use permit shall automatically lapse and be of no effect one year from the issuance unless the permit holder is actively engaged in developing the specific property to the use for which the permit was issued.

5. A traffic study for the intersection design is required or the intersection may be redesigned limiting access to 12<sup>th</sup> Street to right-in/ right-out.
6. Landscaping is required in conformance with City code. Landscaping of the 12<sup>th</sup> Street and Clarkson Drive right-of-ways is required and may be factored in determining conformance with the code.
7. A six foot high solid block screen wall is required on the south property line. The type of material and color of the material are to be compatible with the proposed development.
8. The parking lot design is to conform to Section 3-2-17 of City code and Fire Departments requirements for ingress and egress.
9. All parking lot lighting is to be shielded or cut-off design.
10. An illumination schedule is required to ensure lighting is adequate for safety with minimal impact to adjacent properties.
11. The exterior of the buildings shall be consistent with the elevations submitted with the application.
12. The Property, Buildings and right-of-way landscaping are to be maintained in a manner acceptable to the City of Elko at all times.
13. The proposed vacation is approved and of record before plan approval is granted by the City.
14. The Conditional Use Permit is to be recorded as a condition of Certificate of Occupancy.
15. Parcel B and Parcel C from parcel map 711850 should be merged based on the proposed layout site layout.
16. All condition from CUP 4-13 not listed here and from other departments.

**Engineering Department Conditions:**

1. The proposed building crosses an existing property line. Modify the property lines with the appropriate map prior to construction.

**Planning Department Conditions:**

1. Compliance with all staff conditions as well as conditions listed from CUP 4-13 Planning Commission Action Report dated April 2, 2013 not listed above.

Commissioner Hodur's findings to support its recommendation are the conditional use permit is in compliance with the City of Elko Master Plan Land Use and Transportation Components. 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 of Elko Code Sections 3-2-3, 3-2-4, 3-2-10 (B), 3-2-17, 3-2-18, and 3-8. Development under the proposed conditional use will not adversely impact natural systems or public federal lands, such as waterways, wetlands, drainages, floodplains, etc., or pose a danger to human health and safety.

**Moved by Kevin Hodur, Seconded by David Freistroffer.**

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

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

1. Review and consideration of Parcel Map No. 4-17, filed by The Pointe at Ruby View, LLC, for the dedication of Bizkaia Boulevard. The parcel map contains an offer of dedication for right-of-way and it is for this reason that the map is being referred to

the Planning Commission and subsequently to the City Council. **FOR POSSIBLE ACTION**

The subject property is located generally north of E. Jennings Way (APN 001-562-010 & 001-562-014).

Erik Snyder, Summit Engineering, 1150 Lamoille Highway, explained that this is the Map of Dedication for Bizkaia Boulevard to get access to the Bizkaia Subdivision.

Ms. Laughlin explained that this Map of Dedication is for Bizkaia Boulevard, it goes from E. Jennings up to the subdivision. The Development Department had two conditions listed in their memo.

Mr. Thibault explained that the Engineering Department had one condition to identify the slope easements as being dedicated by this map.

Mr. Holmes had no comments or concerns regarding this Dedication Map.

Mr. Wilkinson recommend approval as presented by staff. He also added that it should be clarified that the full road improvements are required if the road serves development in the area.

Chairman Martinez asked if that was in addition to condition one from the Development Department.

Mr. Wilkinson recommended they add that clarifying language.

Chairman Martinez asked if the roadway needed to be fully developed prior to any development occurring.

Mr. Wilkinson clarified that the road will need to be fully developed if it will serve development within the area.

Chairman Martinez asked if this section of the road would be classified as a Collector.

Ms. Laughlin clarified that it would be classified as a Residential Collector.

Commissioner Hodur asked if this would work in conjunction with the future Jennings extension.

Mr. Thibault explained that the portion of Jennings that this road is coming off of is not developed yet, but it is dedicated.

Chairman Martinez mentioned that this is a focalized portion of a broader project.

**\*\*\*Motion:** Forward a recommendation to City Council to conditionally approve Parcel Map No. 4-17 subject to the conditions listed in the Development Department memo dated March 23, 2017, with an additional condition from the Planning Commission, listed as follows:

**Development Department:**

1. Bizkaia Boulevard be dedicated as a 60' right of way as a Residential Collector roadway, per Elko City Code 3-3-22.
2. Public improvements shall be required at the time of development.

**Engineering Department**

1. Identify the slope easements as being offered for dedication by this map

**Planning Commission**

1. Full road improvements are required prior to development of the area that the road serves.

Commissioner Freistroffer's findings to support its recommendation are the parcel map conforms with the City of Elko Master Plan Transportation component, the City of Elko Wellhead Protection Plan, and the City of Elko Code Sections 2-3-13, 3-2-4, 3-2-5(B), 3-2-17, 3-8, and 3-3-60, and 3-3-85. The proposed development is not in strict conformance with the Land Use component of the Master Plan.

**Moved by David Freistroffer, Seconded by Kevin Hodur.**

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

## **II. REPORTS**

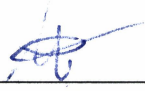
- A. Summary of City Council Actions.
- B. Summary of Redevelopment Agency Actions.
- C. Professional articles, publications, etc.
  1. Zoning Bulletin
- D. Preliminary agendas for Planning Commission meetings.
- E. Elko County Agendas and Minutes.
- F. Planning Commission evaluation. General discussion pertaining to motions, findings, and other items related to meeting procedures.
- G. Staff.

## **COMMENTS BY THE GENERAL PUBLIC**

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

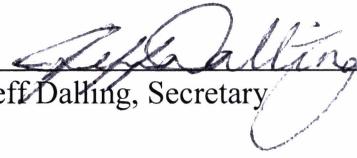
## **ADJOURNMENT**

There being no further business, the meeting was adjourned.



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Aaron Martinez, Chairman



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Jeff Darling, Secretary