CITY OF ELKO
Planning Department

Website: www.elkocitynv.gov
Email: planning@elkocitynv.gov

1751 College Avenue · Elko, Nevada 89801 · (775) 777-7160 · Fax (775) 777-7219

PUBLIC MEETING NOTICE

The City of Elko Planning Commission will meet in a regular session on Tuesday, July 6, 2021 in the Council Chambers at Elko City Hall, 1751 College Avenue, Elko, Nevada, and beginning at 5:30 P.M., P.D.S.T. and by utilizing GoToMeeting.com.
Please join the meeting from your computer, tablet, or smartphone: https://global.gotomeeting.com/join/114164549. You can also dial in using your phone. **+1 (224) 501-3412** Access Code: **114-164-549.** Comments can also be emailed to planning@elkocitynv.gov.

Attached with this notice is the agenda for said meeting of the Commission. In accordance with NRS 241.020, the public notice and agenda were posted on the City of Elko Website at http://www.elkocitynv.gov/, the State of Nevada's Public Notice Website at https://notice.nv.gov, and in the following locations:

ELKO COUNTY COURTHOUSE – 571 Idaho Street, Street, Elko, NV 89801
Date/Time Posted: June 29, 2021 2:10 p.m.
ELKO COUNTY LIBRARY – 720 Court Street, Elko, NV 89801
Date/Time Posted: June 29, 2021 2:05 p.m.
ELKO POLICE DEPARTMENT – 1448 Silver Street, Elko NV 89801
Date/Time Posted: June 29, 2021 2:15 p.m.
ELKO CITY HALL – 1751 College Avenue, Elko, NV 89801
Date/Time Posted: June 29, 2021 2:00 p.m.

Posted by: Shelby Knopp, Planning Technician Shelby Knopp
Name Title Signature

The public may contact Shelby Knopp by phone at (775) 777-7160 or by email at sknopp@elkocitynv.gov to request supporting material for the meeting described herein. The agenda and supporting material is also available at Elko City Hall, 1751 College Avenue, Elko, NV.
Dated this 29th day of June, 2021.

NOTICE TO PERSONS WITH DISABILITIES

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify the City of Elko Planning Department, 1751 College Avenue, Elko, Nevada, 89801 or by calling (775) 777-7160.

Cathy Laughlin

Cathy Laughlin, City Planner

CITY OF ELKO
PLANNING COMMISSION
REGULAR MEETING AGENDA
5:30 P.M., P.D.S.T., TUESDAY, JULY 6, 2021
ELKO CITY HALL, COUNCIL CHAMBERS,
1751 COLLEGE AVENUE, ELKO, NEVADA
https://global.gotomeeting.com/join/114164549

CALL TO ORDER

The Agenda for this meeting of the Elko City Planning Commission has been properly posted for this date and time in accordance with NRS requirements.

ROLL CALL

PLEDGE OF ALLEGIANCE

COMMENTS BY THE GENERAL PUBLIC

Pursuant to N.R.S. 241, this time is devoted to comments by the public, if any, and discussion of those comments. No action may be taken upon a matter raised under this item on the agenda until the matter itself has been specifically included on a successive agenda and identified as an item for possible action. **ACTION WILL NOT BE TAKEN**

APPROVAL OF MINUTES

June 1, 2021 – Regular Meeting **FOR POSSIBLE ACTION**

I. NEW BUSINESS

A. PUBLIC HEARING

1. Review and consideration of Tentative Map 3-21, filed by Bailey and Associates, LLC for the development of a subdivision entitled Cedar Estates Phase 3 involving the proposed division of approximately 7.31 acres of property into 34 lots for residential development within the RMH (Residential Mobile Home) Zoning District, and matters related thereto. **FOR POSSIBLE ACTION**

   Subject property is located at the northern terminus of both Primrose Lane and Daisy Drive. (APN 001-926-111)

2. Review, consideration, and possible action on Conditional Use Permit No. 2-21, filed by Catherine Wines on behalf of Elko County and Great Basin Child Advocacy Center, which would allow for a new principal permitted use within the PQP, Public, Quasi Public zoning district, and matters related thereto. **FOR POSSIBLE ACTION**

Any new use within the PQP, Public-Quasi, Public zoning district requires a Conditional Use Permit.

3. Review, consideration and possible action of Variance No 3-21, filed by DAG LLC. on behalf of Sonora LLC, for an increase in the number of allowed freestanding signs per street frontage and increase maximum area of a freestanding sign, and matters related thereto. **FOR POSSIBLE ACTION**

   The applicant is requesting a variance for more than one freestanding sign per street frontage and for an increase in the area of the allowed signage.

4. Review, consideration and possible action of Variance No 4-21, filed by Modern Land Development, LLC, for a reduction of the required lot width from 60' to 33.33' for proposed Parcels 2 and 3 and from 60' to 33.30' for proposed Parcel 1; a reduction in the required lot depth for proposed Parcel 1 from 100 feet to 99.96 feet; and a reduction of the required lot area for proposed Parcel 1 from 6,000 square feet to 3,339 square feet, proposed Parcel 2 from 6,000 square feet to 3,362 square feet, and proposed Parcel 3 from 6,000 square feet to 3,382 square feet in an R (Single-Family and Multiple-Family Residential) Zoning District and matters related thereto. **FOR POSSIBLE ACTION**

   The applicant is requesting a variance for a proposed division of one lot into three lots which will not be in conformance with lot width, depth and lot area.

B. MISCELLANEOUS ITEMS, PETITIONS, AND COMMUNICATIONS

1. Review, consideration and possible approval of Final Map No. 4-21, filed by Legion Construction and Development, LLC, for the development of a subdivision entitled Jarbidge Estates involving the proposed division of approximately 2.16 acres of property into 18 lots for townhouse development and 1 common lot within the R (Single Family and Multiple Family Residential) Zoning District, and matters related thereto. **FOR POSSIBLE ACTION**

   Subject property is located on the east side of N 5th Street approximately 450 feet north of Dakota Drive. (APN 001-610-093)

2. Review, consideration, and possible recommendation to City Council for Vacation No. 1-21, filed by The City of Elko on behalf of Elko County, for the vacation of the southwesterly portion of Golf Course Road, consisting of an area approximately 1,842 sq. ft., and matters related thereto. **FOR POSSIBLE ACTION**

   In discussion with the proposed Great Basin Child Advocacy Center, staff requested that the new curb, gutter and sidewalk line up with existing infrastructure at the intersection of Cedar St. and Golf Course Rd. This vacation will align the Right-of-Way from College Ave. to Cedar Street where it currently is not aligned. City Council accepted the petition for the vacation on June 22, 2021.

3. Review, consideration, and possible recommendation to City Council for Vacation No. 2-21, filed by The City of Elko on behalf of Nevada Health Centers, for the vacation of the southwesterly portion of Golf Course Road, consisting of an area approximately 210 sq. ft., and matters related thereto. **FOR POSSIBLE ACTION**

   In discussion with the proposed Great Basin Child Advocacy Center, staff requested that the new curb, gutter and sidewalk line up with existing infrastructure at the intersection of Cedar St. and Golf Course Rd. This vacation will align the Right-of-Way from College Ave. to Cedar Street where it currently is not aligned. City Council accepted the petition for the vacation on June 22, 2021.

4. Review, consideration, and possible recommendation to City Council for Vacation No. 3-21, filed by the City of Elko, for the vacation of a portion of 15th Street consisting of approximately 13,600 square feet, and matters related thereto. **FOR POSSIBLE ACTION**

   Staff has determined that keeping the small amount of right-of-way on 15th Street is not in the best interest of the City due to the cost of constructing and maintaining a road that goes nowhere. Half of the street right-of-way (6,800 square feet) will be given back to each of the adjacent property owners (Flyers Energy Inc. and The Igloo, LLC). This agenda item is related to the portion being returned to The Igloo, LLC. City Council accepted the petition for the vacation on June 22, 2021.

5. Review, consideration, and possible recommendation to City Council for Vacation No. 4-21, filed by the City of Elko, for the vacation of a portion of 15th Street consisting of approximately 13,600 square feet, and matters related thereto. **FOR POSSIBLE ACTION**

   Staff has determined that keeping the small amount of right-of-way on 15th Street is not in the best interest of the City due to the cost of constructing and maintaining a road that goes nowhere. Half of the street right-of-way (6,800 square feet) will be given back to each of the adjacent property owners (Flyers Energy Inc. and The Igloo, LLC). This agenda item is related to the portion being returned to Flyers Energy, Inc. City Council accepted the petition for the vacation on June 22, 2021.

6. Review, consideration, and possible action to initiate an amendment to the City Zoning Ordinance, specifically Section 3-2-17 (Traffic, Access, Parking, and Loading Regulations), and matters related thereto. **FOR POSSIBLE ACTION**

   A long-standing policy of City staff was to require driveways for single-family residences be designed with a slope of 14 percent or less. However, this requirement was never added to the City Code. With more and more housing development moving up into the hills, it has become necessary to codify this 14 percent requirement. During the process of adding this, staff took the opportunity to update and/or modify other portions of this Section.

II. REPORTS

A. Summary of City Council Actions.

B. Summary of Redevelopment Agency Actions.

C. Professional articles, publications, etc.

1. Zoning Bulletin

D. Miscellaneous Elko County

E. Training

COMMENTS BY THE GENERAL PUBLIC

Pursuant to N.R.S. 241, this time is devoted to comments by the public, if any, and discussion of those comments. No action may be taken upon a matter raised under this item on the agenda until the matter itself has been specifically included on a successive agenda and identified as an item for possible action. **ACTION WILL NOT BE TAKEN**

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ADJOURNMENT

Respectfully submitted,

Cathy Laughlin
City Planner

CITY OF ELKO
PLANNING COMMISSION
REGULAR MEETING MINUTES
5:30 P.M., P.D.S.T., TUESDAY, JUNE 1, 2021
ELKO CITY HALL, COUNCIL CHAMBERS,
1751 COLLEGE AVENUE, ELKO, NEVADA
https://global.gotomeeting.com/join/962775741

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**
Tera Hooiman
John Anderson
Stefan Beck
Giovanni Puccinelli

Absent: **Mercedes Mendive**
Gratton Miller

City Staff Present: **Scott Wilkinson, Assistant City Manager**
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

May 4, 2021 – Regular Meeting **FOR POSSIBLE ACTION**

*****Motion: Approve the minutes from the May 4, 2021 regular Planning Commission Meeting.**

Moved by Giovanni Puccinelli, Seconded by Stefan Beck.

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

I. NEW BUSINESS

A. PUBLIC HEARING

1. Review, consideration and possible action on Variance No. 2-21, filed by Catherine Wines for the Great Basin Child Advocacy Center on behalf of Elko County for a reduction of the required off street parking stalls from 25 to 18, for a professional office in an PQP (Public, Quasi-Public) Zoning District, and matters related thereto, **FOR POSSIBLE ACTION**

   The subject property is located generally on the west corner of the intersection of Golf Course Road and College Avenue. (1401 College Avenue - APN 001-200-002)

Catherine Wines, 421 Railroad Street, explained that she was representing Elko County. She mentioned that the use of the building was for children, so they don't feel that they will even need 18 spaces, because kids don't drive. Because of the nature of the building, they will never have more than two or three children in the building at a time. They come in by appointment. There won't be a lot of kids there at a time, it will mostly be just one family, maybe two or three families, at a time. That is done on purpose for privacy reasons.

Cathy Laughlin, City Planner, went over the City of Elko Staff Report dated May 12, 2021. Staff recommended conditional approval with the findings and conditions listed in the Staff Report. Ms. Laughlin explained that the applicants met with staff and staff suggested that they apply for a variance for everything under the PQP Zoning that they couldn't meet. It is fabulous the way that they have designed the building. The only thing that they can't meet is the parking requirement. This could have been done as a parking waiver, but staff thought there would be other requirements that the building wouldn't meet. This is an extremely unique building with a unique use and staff doesn't feel that they need to have the one parking space per 300 square feet as required by code.

Michele Rambo, Development Manager, had no comments or concerns.

Bob Thibault, Civil Engineer, had no comments and recommended approval.

Jamie Winrod, Fire Marshal, had no comments and recommended approval.

Scott Wilkinson, Assistant City Manager, had no comments or concerns.

*****Motion: Conditionally approve Variance No. 2-21 subject to the condition in the City of Elko Staff Report dated May 12, 2021, listed as follows:**

1. **Approval of Conditional Use Permit No. 2-21**

Commissioner Puccinelli's findings to support the motion were that the proposed variance approval is in conformance with the Land Use 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 with the approval of CUP 2-21 is in conformance with Section 3-2-8 of City Code. The approval of variance 2-21 from Elko City Code 3-2-17

reducing the off-street parking requirement from 25 to 18 is required for the proposed development to be in conformance with 3-2-17. The special circumstance is directly related to the use of the property being a public use with limited need for parking. The exceptional practical difficulty is directly related to the use of the property. The special circumstance of reduced parking needs does not generally apply to other properties in the district. The granting of the variance will not result in material damage or prejudice to other properties in the vicinity. The granting of the variance is directly related to proposed use of the property and will not impair the intent or purpose of the zoning and will not change the use of the land or zoning classification. The granting of the variance will not impair natural resources.

Moved by Giovanni Puccinelli, Seconded by Tera Hooiman.

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

B. MISCELLANEOUS ITEMS, PETITIONS, AND COMMUNICATIONS

1. Review, consideration and possible approval of Final Map No. 2-21, filed by Jordanelle Third Mortgage, LLC for the development of a subdivision entitled Zephyr Heights Unit 1 involving the proposed division of approximately 25.1 acres of property into 18 lots for residential development and 1 remainder lot within the R (Multiple-Family and Single-Family Residential) Zoning District, and matters related thereto. **FOR POSSIBLE ACTION**

   The subject property is located on the east side of East Jennings Way generally east of Puccinelli Parkway. (APN 001-562-010)

Scott MacRitchie, 1947 Amber Way, explained that they had already gone through Planning Commission and City Council for the Tentative Map. Now they are bringing phase 1 in for a Final Map, so that they can begin working on it over summer.

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

Ms. Laughlin had no comments or concerns and recommended approval.

Mr. Thibault recommended conditional approval. He pointed out that he had one condition listed in the Staff Report that requested the removal of Note 7 regarding the slope easement.

Ms. Winrod had no comments or concerns and recommended approval.

Mr. Wilkinson had no comments or concerns.

*****Motion: Recommended 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 2-21 with conditions listed in the Staff Report dated May 14, 2021, listed as follows:

Development Department:

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 Zephyr Heights Unit 1 is approved for 18 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.**

11. **Add note to the Final Map prohibiting access from Lots 1 and 18 to East Jennings Way prior to City Council consideration.**

12. **All slopes greater than 3:1 shall be permanently stabilized prior to acceptance of any public improvements by the City Council.**

Engineering Department:

13. **Remove Note 7 on Sheet 2 regarding slope easements prior to City Council consideration.**

<u>Public Works Department:</u>

14. **All public improvements to be constructed per City of Elko code at time of development.**

Commissioner Puccinelli's findings to support the recommendation were that the Final Map for Zephyr Heights Unit 1 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 plans to the City and State agencies for review to receive all required permits in accordance with the requirements of Section 3-3-19 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 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.

Moved by Giovanni Puccinelli, Seconded by Stefan Beck.

Motion passed unanimously (5-0).

II. REPORTS

A. Summary of City Council Actions.

Ms. Laughlin reported that Ordinance 860 & 861 were adopted by City Council in May. They also did the acceptance and conditional acceptance on the Tower Hills Subdivision, for some public improvements. At the last City Council meeting, they approved several deeds of dedication and easements for Elko Mountain and development over there. The easements and dedications were for the water tank, water lines, and roadways. There was also a bid opening for the auction of Well 16. The property was sold; there was only one bidder.

B. Summary of Redevelopment Agency Actions.

Ms. Laughlin gave a brief recap on the Block End Project.

C. Professional articles, publications, etc.

DRAFT

1. Zoning Bulletin

D. Miscellaneous Elko County

E. Training

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

DRAFT

Elko City Planning Commission
Agenda Action Sheet

1. Title: **Review and consideration of Tentative Map 3-21, filed by Bailey and Associates, LLC for the development of a subdivision entitled Cedar Estates Phase 3 involving the proposed division of approximately 7.31 acres of property into 34 lots for residential development within the RMH (Residential Mobile Home) Zoning District, and matters related thereto. FOR POSSIBLE ACTION**

2. Meeting Date: **July 6, 2021**

3. Agenda Category: ***NEW BUSINESS, PUBLIC HEARINGS***

4. Time Required: **15 Minutes**

5. Background Information: **Subject property is located at the northern terminus of both Primrose Lane and Daisy Drive. (APN 001-926-111)**

6. Business Impact Statement: **Not Required**

7. Supplemental Agenda Information: **Application and Staff Report**

8. Recommended Motion: **Recommend that the City Council conditionally approve Tentative Map 3-21 based on facts, findings, and conditions as presented in the Staff Report dated June 7, 2021.**

9. Findings: **See Staff Report dated June 7, 2021**

10. Prepared By: **Michele Rambo, AICP, Development Manager**

11. Agenda Distribution: **Bailey & Associates, LLC**
Attn: Doug Bailey
780 W. Silver Street, #104
Elko, NV 89801

Summit Engineering
Attn: Nitin Bhakta
1150 Lamoille Highway
Elko, NV 89801

STAFF COMMENT FLOW SHEET
PLANNING COMMISSION AGENDA DATE: 7/6

Do not use pencil or red pen, they do not reproduce

Title: Tentative Map No. 3-21 - Cedar Estates - Phase 3

Applicant(s): Bailey + Associates, LLC

Site Location: APN 001-926-001 - N Terminus of Daisy Dr + Primrose Ln

Current Zoning: RMH Date Received: 5/19/21 Date Public Notice: 6/22/21

COMMENT: This is to divide ≈ 7.31 acres of land into 34 lots for residential Development.

If additional space is needed please provide a separate memorandum

Assistant City Manager: Date: 6/25/21

Recommend approval as pulsented by staff with modification of standard for lots 4, 5, 13 14, 21, 22, 23 & 25 based on locations on curves. Riprap protection is Required for storm drain outlet

SAW

Initial

City Manager: Date:

Initial

City of Elko
1751 College Avenue
Elko, NV 89801
(775) 777-7160
FAX (775) 777-7119

CITY OF ELKO STAFF REPORT

REPORT DATE: June 7, 2021
PLANNING COMMISSION DATE: July 6, 2021
AGENDA ITEM NUMBER: I.A.1.
APPLICATION NUMBER: Tentative Map 3-21
APPLICANT: Bailey and Associates, LLC
PROJECT DESCRIPTION: Cedar Estates Phase 3

A Tentative Map for the division of approximately 7.31 acres into 34 lots for residential development within an RMH (Residential Mobile Home) zoning district.

STAFF RECOMMENDATION:

RECOMMEND CONDITIONAL APPROVAL, subject to findings of fact and conditions as stated in this report.

PROJECT INFORMATION

PARCEL NUMBER: 001-926-111

PARCEL SIZE: 7.31 Acres

EXISTING ZONING: (RMH) Residential Mobile Home

MASTER PLAN DESIGNATION: (RES-MD) Residential Medium Density

EXISTING LAND USE: Vacant

NEIGHBORHOOD CHARACTERISTICS:

The property is surrounded by:

- North: Agricultural-Residential (AR) / Developed (Elko County)
- South: Residential Mobile Home (RMH) / Developed (Cedar Estates Phases 1 and 2)
- East: General Industrial (GI) / Developed
- West: Light Industrial (LI) / Vacant
  Residential Mobile Home (RMH) / Developed

PROPERTY CHARACTERISTICS:

- The property is an undeveloped residential parcel.
- The site abuts large-lot residential uses to the north, existing Cedar Estates Phases 1 and 2 to the south, a developed industrial use (Humboldt-Vega) to the east, and an existing mobile home park (Southgate Mobile Home Park) to the west.
- The parcel has many slopes, but generally drains to the existing detention/retention basin on the northeast corner of the site. The slopes have been incorporated into the tentative map design where possible to minimize the amount of grading needed.
- The property will be accessed by both Primrose Lane and Daisy Drive.

APPLICABLE MASTER PLAN AND CITY CODE SECTIONS:

- City of Elko Master Plan – Land Use Component
- City of Elko Master Plan – Transportation Component
- City of Elko Development Feasibility, Land Use, Water Infrastructure, Sanitary Sewer Infrastructure, Transportation Infrastructure, and Annexation Potential Report – November 2012
- City of Elko Redevelopment Plan
- City of Elko Wellhead Protection Plan
- City of Elko Zoning – Section 3-2-3 General Provisions
- City of Elko Zoning – Section 3-2-4 Establishment of Zoning Districts
- City of Elko Zoning – Section 3-5-4 RMH Uses Permitted and Minimum Standards
- City of Elko Zoning – Section 3-2-5(G) Residential Zoning Districts Area, Setback, and Height
- City of Elko Zoning – Section 3-2-17 Traffic, Access, Parking and Loading Regulations
- City of Elko Zoning – Chapter 3 Subdivisions

- City of Elko Zoning – Section 3-8 Flood Plain Management
- City of Elko Public Ways and Property – Title 9, Chapter 8 Post Construction Runoff Control and Water Quality Management

BACKGROUND:

1. The property owner and applicant is Bailey and Associates, LLC.
2. The subdivision is located on APN 001-926-111.
3. The property is undeveloped.
4. The proposed subdivision consists of 34 residential lots.
5. The total subdivided area is approximately 7.31 acres.
6. The proposed density is 4.65 units per acre.
7. No phasing is proposed as part of the Tentative Map.
8. A total of 1.08 acres are dedicated roadways offered as part of the project.
9. The property is located at the northern terminus of both Primrose Lane and Daisy Drive.
10. A Stage 1 meeting for the proposed subdivision was held on September 12, 2019.

<u>MASTER PLAN</u>

Land Use:

1. The land use for the parcel is shown as Residential Medium Density. The proposed density for the subdivision is 4.65 units per acre, which fits the medium density category and is, therefore, in conformance.
2. The zoning for the parcel is shown as Residential Mobile Home (RMH), which is a corresponding zoning for the medium density Master Plan category.
3. The listed Goal of the Land Use Component states: "Promote orderly, sustainable growth and efficient land use to improve quality of life and ensure new development meets the needs of all residents and visitors."
4. Objective 1 under the Land Use component of the Master Plan states: "Promote a diverse mix of housing options to meet the needs of a variety of lifestyles, incomes, and age groups."
    a. Best Practice 1.1 – The proposed subdivision meets several of the methods described to achieve a diverse mix of housing types in the community.
    b. Best Practice 1.3 – The location of the proposed subdivision appears to support the City striving for a blended community by providing a mix of housing types in the neighborhood and is supported by existing infrastructure.
5. Objective 8 of the Land Use component of the Master Plan states: "Ensure that new development does not negatively impact County-wide natural systems or public/federal lands such as waterways, wetlands, drainages, floodplains, etc. or pose a danger to human health and safety." Staff believes there will be no negative impacts to natural systems and no issue with regard to human health and safety.

The proposed subdivision and development is in conformance with the Land Use component of the Master Plan.

Transportation:

1. The project will be accessed from both Primrose Lane and Daisy Drive.
2. Primrose Lane and Daisy Drive are classified as a Local streets.
3. The interior circulation of the project will be provided by the extension of Primrose Lane and Daisy Drive.

4. The Master Plan requires Local streets to have 50 feet of right-of-way. The design of the extensions of Primrose Lane and Daisy Drive on the Tentative Map includes this required width.
5. Upon full buildout, the proposed subdivision is expected to generate approximately 324 additional Average Daily Trips based on 9.52 trips/single-family unit (ITE Trip Generation, 10th Edition). This is below the threshold for a traffic study established in the Master Plan.

The proposed subdivision and development is in conformance with the Transportation component of the Master Plan.

ELKO AIRPORT MASTER PLAN:

The proposed subdivision and development does not conflict with the Airport Master Plan.

CITY OF ELKO DEVELOPMENT FEASIBILITY, LAND USE, WATER INFRASTRUCTURE, SANITARY SEWER INFRASTRUCTURE, TRANSPORTATION INFRASTRUCTURE, AND ANNEXATION POTENTIAL REPORT – NOVEMBER 2012:

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.

ELKO REDEVELOPMENT PLAN:

The property is not located within the Redevelopment Area.

ELKO WELLHEAD PROTECTION PLAN:

The northwest corner of the property is located within the 30-year capture zone for Well 24. Development of the site is required to be connected to a programmed sewer system and all street drainage will be directed to a detention/retention basin.

SECTION 3-3-5 TENTATIVE MAP STAGE (STAGE II):

A. Zoning Amendments – No zoning amendment is required for this project. The site is currently zoned for manufactured home subdivisions such as the one proposed.
B. Water/Sewer/Storm Drain – A water and sewer design report was submitted by the project engineer calculating the water and sewer demand for the proposed subdivision. The table below shows the average demand vs. existing capacity.

	Estimated Demand	Existing Capacity
Water	23.6 gpm	3,081 gpm
Sewer	11,900 gpd	4.5 million gpd

C. Application Submittal Requirements – The Tentative Map submittal is complete.
D. Departmental Review – The Tentative Map was distributed according to this section of code and was reviewed by the required departments. Any comments and/or conditions of approval have been incorporated into this report.

Tentative Map Approval 3-3-5(E)(2)(a)-(k) – Requires the following findings:

a. Environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or pubic sewage disposal, and, where applicable, individual systems for sewage disposal.
   - The proposed subdivision will be connected to the city's water supply system, programmed sewer system, and is required to be in compliance with all applicable federal, state, and local requirements.
   - Based on the estimated demand for sewer shown in Section B (above), the City has adequate capacity to serve the proposed subdivision.

b. The availability of water which meets applicable health standards and is sufficient in quantity for the reasonably foreseeable needs of the subdivision.
   - Based on the estimated demand for water shown in Section B (above), the City has adequate capacity to serve the proposed subdivision.
   - The City of Elko Engineering Department is required to model the anticipated water consumption of the subdivision. The City of Elko Utility Department will be required to submit a "Tentative Will-Serve Letter" to the State of Nevada. The water modeling requires an update to reflect the increased number of lots. Current City-wide annual water usage is approximately 50% of the total allocated water rights.
   - City of Elko currently has excess pumping capacity of 3,081 gallons per minute. Sufficient infrastructure and pumping capacity exists to provide the required water volume to serve the proposed subdivision and development.
   - The Developer will extend properly sized infrastructure as required for development of the property.
   - The proposed subdivision and development will not create an unreasonable burden on the existing water supply.

c. The availability and accessibility of utilities.
   - Utilities are available in the immediate area and can be extended for the proposed development.

d. The availability and accessibility of public services such as schools, police protection, transportation, recreation, and parks.
   - Schools, fire and police, and recreational services are available throughout the community.

e. Conformity with the zoning ordinance and the City's Master Plan, except that if any existing zoning ordinance is inconsistent with the City's Master Plan, the zoning ordinance takes precedence.
   - The land use for the parcel is shown as Residential Medium Density.
   - The parcel is zoned Residential Mobile Home (RMH), which is a corresponding zoning for the medium density Master Plan category.
   - Residential Medium Density is intended for residential development at a density between four and eight units per acre. The proposed density for the subdivision is

4.65 units per acre, which fits the medium density category and is, therefore, in conformance.

- The proposed subdivision is otherwise in conformance with the City's Master Plan as well as the Zoning Ordinance.

f. General conformity with the City's Master Plan of streets and highways.

- The proposed subdivision is in conformance with the Transportation Component of the Master Plan.

g. The effect of the proposed subdivision on existing public streets and the need for new streets or highways to serve the subdivision.

- The proposed subdivision and development will add approximately 324 Average Daily Trips to Pinion Road by way of Primrose Lane and Daisy Drive. Based on the threshold of 1,000 ADT referenced in the Master Plan, a traffic study is not required with this subdivision.
- The proposed subdivision and development will not cause unreasonable traffic congestion or unsafe conditions with respect to existing or proposed streets.

h. Physical characteristics of the land, such as floodplain, slope, and soil.

- The proposed subdivision and subsequent development of the property is expected to reduce the potential for erosion in the immediate area. Development of the property will not cause unreasonable soil erosion.
- A hydrology report is required with the Final Map and Construction Plan submittal.
- 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 grading of the site creates some significant slopes around the north property line. A condition of approval has been added below requiring any slopes of 3:1 or more be stabilized in accordance with the City's BMP manual.

i. The recommendations and comments and those entities and persons reviewing the Tentative Map pursuant to this Chapter and NRS 278.330 to 278.3485, inclusive.

- Any comments received from other entities and persons reviewing the Tentative Map have been incorporated either as revisions to the Map or as conditions of approval.

j. The availability and accessibility of fire protection, including, but not limited to, the availability and accessibility of water and services for the prevention and containment of fires, including fires in wild lands.

- Fire protection services are available throughout the community.
- A sufficient amount of water exists in this area for use in fire containment.
- The City of Elko Fire Department has reviewed the application materials for compliance with all fire code requirements.

k. The submission by the subdivider of an affidavit stating that the subdivider will make provision for payment of the tax imposed by Chapter 375 of NRS and for compliance

with the disclosure and recording requirements of Subsection 5 of NRS 598.0923, if applicable, by the subdivider or any successor in interest.

- The subdivider/developer is required to comply with all applicable sections of Chapters 375 and 598 of the NRS.

There are no obvious considerations or concerns which indicate the proposed subdivision would not be in conformance with all applicable provisions.

SECTION 3-3-6 CONTENT AND FORMAT OF TENTATIVE MAP SUBMITTAL:

A. Form and Scale – The Tentative Map conforms to the required size and form specifications.
B. Identification Data
    1. The subdivision name, location, and section/township/range, with bearing to a section corner or quarter-section corner, is shown.
    2. The name, address, email, and telephone number of the subdivider is shown.
    3. The engineer's name, address, and telephone number are shown.
    4. The scale is shown on all sheets.
    5. The north arrow is shown on all sheets.
    6. The date of initial preparation and dates of any subsequent revisions are shown.
    7. A location map is provided.
    8. A legal description is provided.
C. Physical Conditions
    1. The existing topography of the site is shown.
    2. Existing drainage conditions are shown on the Tentative Map.
    3. There are no Special Flood Hazards within the proposed subdivision.
    4. All roadways, easements, and corporate limits are shown within and adjacent to the subdivision.
    5. Dimensions of all subdivision boundaries are shown on the Tentative Map.
    6. Gross and net acreage of the subdivision is shown.
D. Recorded Map Information:
    1. Any previously recorded maps for adjacent properties are labeled on the Tentative Map.
E. Existing Zoning:
    1. The zoning is shown for the subject property. Zoning classifications for adjacent properties are also shown on the Tentative Map.
F. Proposed Improvements and Other Features Data:
    1. The proposed interior street layout is shown. All of the streets are named and proposed for dedication. The grades of the proposed streets are shown on the grading plan.
    2. The lot layout with consecutively numbered lots is shown. The area and dimensions for each lot are shown, as well as the total number of lots.
    3. Typical easements will be required along all lot lines.
    4. Street dedications are proposed for the extensions of both Primrose Lane and Daisy Drive.
    5. Manufactured homes on permanent foundations are allowed in the Residential Mobile Home zoning.

G. Proposed Deed Restrictions:
    1. No proposed CC&R's for the subdivision have been submitted.
H. Preliminary Grading Plan:
    1. A grading plan has been provided. The cut and fill amounts are shown.
I. NPDES Permit Compliance:
    1. The subdivider will be required to comply with the City of Elko's storm water regulations.
J. Proposed Utility Methods and Requirements:
    1. The proposed sewage disposal infrastructure connecting to the City's infrastructure is shown on the utility plan.
    2. The proposed water supply infrastructure connecting to the City's infrastructure is shown on the utility plan.
    3. The Tentative Map shows storm water infrastructure. A hydrology report will be required with the Final Map and Construction Plan submittal.
    4. Utilities in addition to City utilities must be provided with construction plans required for Final Map submittal.
    5. The City will not require a traffic impact study for the proposed subdivision.

SECTION 3-3-9 GENERAL REQUIREMENTS FOR SUBDIVISION DESIGN:

A. Conformance with Master Plan: The proposed subdivision is in conformance with the Master Plan objectives for density and applicable zoning as discussed in detail above.
B. Public Facility Sites: No public facility sites are proposed for dedication.
C. Land Suitability: The area proposed for subdivision is suitable for the proposed development based on the findings in this report.

The proposed subdivision is in conformance with Section 3-3-9 of City code.

SECTION 3-3-10 STREET LOCATION AND ARRANGEMENT:

A. Conformance with Plan: The proposed subdivision utilizes the extension of Primrose Lane and Daisy Drive for access.
B. Layout: Street continuation through the proposed subdivision is not required.
C. Extensions: No additional street extensions are required as part of the proposed subdivision.
D. Arrangement of Residential Streets: The arrangement of streets within the subdivision prevents outside traffic from utilizing the neighborhood for cut-through traffic.
E. Protection of Residential Properties: Lots 5-14 include frontage on Owl Road, currently a rural road within Elko County jurisdiction. The subdivision has been designed so that all lots will front onto interior streets running through the site, which promotes the highest and best use of the property.
F. Parallel Streets: Consideration of street location is not required.
G. Topography: The proposed streets have been designated to address the topography of the area.
H. Alleys: No alleys are proposed.
I. Half-Streets: There are no half-streets proposed.

J. Dead-End Streets: There are no dead-end streets proposed. The streets are designed to allow for appropriate turning movements for traffic, as well as fire trucks.
K. Intersection Design: No intersections are proposed.

The proposed subdivision is in conformance with Section 3-3-10 of City code.

SECTION 3-3-11 STREET DESIGN:

A. Required Right-of-Way Widths: All proposed streets are shown with the required 50 feet of right-of-way.
B. Street Grades: The proposed street grades are code compliant.
C. Vertical Curves: Any vertical curves are code compliant.
D. Horizontal Alignment: The horizontal alignment of the streets and intersections are code compliant.

The proposed subdivision is in conformance with Section 3-3-11 of City code.

SECTION 3-3-12 BLOCK DESIGN:

A. Maximum Length of Blocks: The block design does not exceed the maximum length of a block and maximizes block length.
B. Sidewalks or Pedestrian ways: The proposed sidewalks are code compliant. No other pedestrian ways are proposed.

The proposed subdivision is in conformance with Section 3-3-12 of City code.

SECTION 3-3-13 LOT PLANNING:

A. Lot Width, Depth, and Area: The lots are in conformance with the specifications stipulated for the zoning in Elko City Code 3-2-5 with the exception of Lots 4, 5, 13, 14, 21, 22, 23, and 25. These lots are located on the curved portions of streets and have short front lot widths. A modification of standards is required to make these lots conform.
B. Building Setback: The proposed subdivision, when developed, can meet setback requirements as stipulated in Elko City Code 3-2-5(G).
C. Side Lot Lines: The side lot lines are generally at right angles to the proposed streets.
D. Accessibility: The development abuts a public street. All residents will have access to Pinion Road from both Primrose Lane and Daisy Drive.
E. Prohibitions: No prohibitions have been identified.

The proposed subdivision is in conformance with Section 3-3-13 of City code with the needed modification of standards.

SECTION 3-3-14 EASEMENT PLANNING:

A. Utility Easements: The applicant is proposing the typical utility and drainage easements along property lines on individual parcels. Overhead utilities are not allowed within the subdivision.

B. Underground Utilities: Overhead utilities are not allowed within the subdivision. The utility companies, at their discretion, may request a wider easement where needed.
C. Lots Facing Curvilinear Streets: Overhead utilities are not allowed within the subdivision.
D. Public Drainage Easement: The applicant is proposing the typical utility and drainage easements along property lines on individual parcels.
E. Easement Land Not Considered and Considered in Minimum Lot Area Calculation: All calculations appear to be correct.
F. Lots Backing Onto Arterial Streets: No lots back onto Arterial streets. Lots 5-14 back onto a County rural road (Owl Road).
G. Water and Sewer Lines: The utilities are shown in the existing exterior streets, within proposed side or rear easements, and in the proposed interior streets. Sanitary sewer will tie into the existing city infrastructure where the lines currently end on Primrose Lane and Daisy Drive.

The proposed subdivision is in conformance with Section 3-3-14 of City code.

SECTION 3-3-15 STREET NAMING:

The subdivider has not proposed any new street names. Instead, the existing names of Primrose Lane and Daisy Drive will remain. Lots 1-4 and 32-34 will fall onto Daisy Drive, while the rest of the lots will be on Primrose Lane.

The proposed subdivision is in conformance with Section 3-3-15 of City code.

SECTIONS 3-3-16 STREET LIGHT DESIGN STANDARDS:

Conformance is required with the submittal of construction plans.

SECTION 3-3-17 through 3-3-22 (inclusive):

All referenced sections are applicable to Final Map submission, approval, and construction plans.

SECTION 3-3-23 PARK LAND DEDICATIONS:

There is no offer of dedication for park lands.

SECTION 3-2-3 GENERAL PROVISIONS:

Section 3-2-3(C)(1) of City code specifies use restrictions. The following use restrictions shall apply:

Principal Uses: Only those uses and groups of uses specifically designated as “principal uses permitted” in zoning district regulations shall be permitted as principal uses; all other uses shall be prohibited as principal uses.

Accessory Uses: Uses normally accessory and incidental to permitted principal or conditional uses may be permitted as hereinafter specified.

Other uses may apply under certain conditions with application to the City.

Section 3-2-3(D) states that: "No land may be used or structure erected where the land is held by the planning commission to be unsuitable for such use or structure by reason of flooding, concentrated runoff, inadequate drainage, adverse soil or rock formation, extreme topography, low bearing strength, erosion susceptibility, or any other features likely to be harmful to the health, safety, and general welfare of the community. The planning commission, in applying the provisions of this section, shall state in writing the particular facts upon which its conclusions are based. The applicant shall have the right to present evidence contesting such determination to the city council if he or she so desires, whereupon the city council may affirm, modify, or withdraw the determination of unsuitability."

The proposed subdivision and development is in conformance with Section 3-2-3 of City code.

SECTION 3-2-4 ESTABLISHMENT OF ZONING DISTRICTS:

1. Section 3-2-4(B) Required Conformity to District Regulations: The regulations set forth in this chapter for each zoning district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, except as provided in this subsection.
2. Section 3-2-4(B)(4) stipulates that no yard or lot existing on the effective date hereof shall be reduced in dimension or area below the minimum requirements set forth in this title.

The proposed subdivision is in conformance with Section 3-2-4 of City code.

SECTION 3-5-4 RMH USES PERMITTED AND MINIMUM STANDARDS:

Section 3-5-4(A) Principal Uses Permitted:

1. Accessory buildings.
2. Community recreation buildings and facilities, laundry, car wash, boat or storage facilities serving the mobile home or RV park; provided, however, that the architectural design of all non-mobile home structures shall be subject to approval by the planning commission prior to issuance of any conditional use permit, and all applicable state and city requirements.
3. Management offices (RMH-1 and RMH-4 only). One or more single-family dwellings or mobile homes used exclusively for office and living quarters by the operator or manager of the mobile home or RV park. The architectural design of a non-mobile home office shall be subject to approval by the planning commission prior to the issuance of any conditional use permit.
4. Mobile homes, manufactured homes, RVs. One mobile home, manufactured hom, or RV per space, including doublewide or expandable mobile home units.
5. Residential uses.

The proposed subdivision and development is in conformance with Section 3-5-4(A). Conformance with Section 3-5-4 is required as the subdivision develops.

SECTION 3-2-5(G) RESIDENTIAL ZONING DISTRICTS AREA, SETBACKS, AND HEIGHT:

1. Lot areas are shown.
2. Lot dimensions are shown. The lots are in conformance with the specifications stipulated for the zoning in Elko City Code 3-2-5 with the exception of Lots 4, 5, 13, 14, 21, 22, 23, and 25. These lots are located on the curved sections of the streets and have short front lot widths. A modification of standards is required to make these lots conform.

The proposed subdivision and development is in conformance with Section 3-2-5(G) of City code with the required modification of standards.

SECTION 3-2-17 TRAFFIC, ACCESS, PARKING, AND LOADING:

1. Both Primrose Lane and Daisy Drive are designated as Local streets. The interior circulation of the project will be provided by the extensions of these streets dedicated to the City of Elko.
2. The proposed lots are large enough to develop the required off-street parking. Each unit will include a two parking spaces within the individual lots.

The proposed subdivision and development is in conformance with Section 3-2-17 of City code. Conformance with Section 3-2-17 is required as the subdivision develops.

SECTION 3-8 FLOOD PLAIN MANAGEMENT:

The proposed subdivision and development is not located in a designated special flood hazard area and is in conformance with Section 3-8 of City Code.

TITLE 9, CHAPTER 8 POST CONSTRUCTION RUNOFF CONTROL AND WATER QUALTIY MANAGEMENT:

Final design of the subdivision is required to conform to the requirements of this title. The Tentative Map storm drain infrastructure is shown through the area.

OTHER:

The following permits will be required for the project:

1. State stormwater general permit: Required submittals to the City of Elko are a plan view showing the storm water controls, a copy of the Storm Water Pollution Prevention Plan (SWPPP) and a copy of the certified confirmation letter from the Nevada Department of Environmental Protection.
2. A Surface Area Disturbance (SAD) is required if the disturbed area is equal to or greater than five (5) acres. A copy of the SAD permit is required to be submitted to the City of Elko.
3. A street cut permit from the City of Elko.

4. A grading permit from the City of Elko (required for any ground work, including clearing and grubbing).
5. All other applicable permits and fees required by the City of Elko.
6. The City of Elko also requires submittal of the plans to the individual utility companies before permits will be issued for the project.

FINDINGS

1. The proposed subdivision and development is in conformance with both the Land Use and Transportation components of the Master Plan as previously discussed in this report.

2. The proposed subdivision and development does not conflict with the Airport Master Plan; the City of Elko Development Feasibility, Land Use, Water Infrastructure, Sanitary Sewer Infrastructure, Transportation Infrastructure, and Annexation Potential Report – November 2012; the Wellhead Protection Program; or applicable sections of the Elko City Code.

3. The proposed subdivision complies with Section 3-3-5(E)(2)(a)-(k) as discussed in this report and as required by Section 278.349(3) of the Nevada Revised Statutes.

4. The proposed subdivision complies with all other relevant sections of City Code with the exception of:

    a. Lots 4, 5, 13, 14, 21, 22, 23, and 25 are located on curved portions of the streets and have short front lot widths. A modification of standards is required to make these lots conform.

5. The property is not located within the Redevelopment Area. Therefore, there is no conflict with the Redevelopment Plan.

STAFF RECOMMENDATION:

Staff recommends this item be **conditionally approved** with the following conditions:

Development Department:

1. The subdivider is to comply with all provisions of the NAC and NRS pertaining to the proposed subdivision.

2. Tentative Map approval constitutes authorization for the subdivider to proceed with preparation of the Final Map and associated construction plans.

3. 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.

4. Construction plans must be approved by the Nevada Department of Environmental Protection prior to issuance of a grading permit.

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. A modification from standards from 3-3-13(A) be approved by City Council for Lots 4, 5, 13, 14, 21, 22, 23, and 25 to allow for shorter-than-required front lots widths.

13. Any slopes greater than 3:1 shall be rip-rapped.

Public Works Department:

14. All public improvements to be installed at time of development per Elko city code. See memo from Community Development.

Utilities Department:

15. An isolation valve will need to be installed midway through the development per NAC 445A.6137 which requires that "other areas must be located in such a manner that portions of water mains can be isolated in lengths of 800 or less by the closure of valves". The length of pipe around the loop is well over 1,000 feet. Please show this valve on the plans prior to City Council consideration.

CITY OF ELKO
Planning Department

Website: www.elkocity.com
Email: planning@elkocitynv.gov

1751 College Avenue · Elko, Nevada 89801 · (775) 777-7160 · Fax (775) 777-7219

June 29, 2021

Bailey & Associates, LLC
Attn: Sheldon Hetzel
780 W Silver Street, #104
Elko, NV 89801
Via Email: Sheldon.SpringCreek@gmail.com

Re: Tentative Map No. 03-21

Dear Applicant/Agent:

Enclosed is a copy of the agenda for an upcoming Planning Commission meeting. Highlighted on the agenda is the item or items that you have requested to be acted on at the meeting. Also enclosed is pertinent information pertaining to your request. Please review this information before the meeting.

The Planning Commission requests that you, or a duly appointed representative, be in attendance at this meeting to address the Planning Commission. If you will not be able to attend the meeting but wish to have a representative present, please submit a letter to the Planning Commission authorizing this person to represent you at the meeting.

To participate in the virtual meeting on a computer, laptop, tablet, or smart phone go to: https://global.gotomeeting.com/join/114164549. You can also dial in using your phone at **+1 (224) 501-3412.** The **Access Code** for this meeting is **114-164-549.**

If you have any questions regarding this meeting, the information you received, or if you will not be able to attend this meeting, please call me at your earliest convenience at (775) 777-7160.

Sincerely,

Shelby Knopp

Shelby Knopp
Planning Technician

Enclosures

CC: Summit Engineering, Attn: Nitin Bhakta, 1150 Lamoille Hwy, Elko, NV 89801
Via Email: Nitin@summitnv.com

Tentative Map 3-21 Cedar Estates - Phase 3

YPNO	PANAME	PMADD1	PMADD2	PMCTST	PZIP
001926090	CASTANEDA-SALAS, ERNESTO		2208 LARKSPUR ST	ELKO NV	89801-8848
001926092	CASTRO, ALEJANDRO ET AL		2220 LARKSPUR ST	ELKO NV	89801-8848
001926093	GONZALEZ, ABEL JR ET AL		2224 LARKSPUR ST	ELKO NV	89801
001926014	HECKETHORN, GUY G		1294 PRIMROSE LN	ELKO NV	89801-4898
001920020	HUMBOLDT-VEGA LLC		4100 IDAHO ST	ELKO NV	89801-4694
001926016	HYDE, DAKOTA		1358 PRIMROSE LN	ELKO NV	89801-8823
001926094	PAYNTER, LINDA		3534 DESERT PLAINS	ELKO NV	89801-
001920039	REMINGTON CONSTRUCTION CO LLC		PO BOX 1616	ELKO NV	89803-1616
032001042	RODRIGUEZ, ISAMAEL N & YOLANDA		702 LAST CHANCE RD UNIT 1	ELKO NV	89801-8748
032001041	RODRIGUEZ, ISAMAEL N & YOLANDA	1pc	702 LAST CHANCE RD UNIT 1	ELKO NV	89801-8748
032001043	RODRIGUEZ, ISMAEL N & YOLANDA		702 LAST CHANCE RD UNIT 1	ELKO NV	89801-8748
032001040	RODRIGUEZ, MANUEL ETAL		702 LAST CHANCE RD UNIT 1	ELKO NV	89801-8748
001926091	ROLF, CHARLES S		2214 LARKSPUR ST	ELKO NV	89801-8848
001920002	SOUTHGATE MOBILE HOME PARK LLC	WESTATES	618 N EL CAMINO REAL	SAN MATEO CA	94401-3713
	CURRENT RESIDENT		1344 STITZEL RD	ELKO NV	89801-
	CURRENT RESIDENT		1287 STITZEL RD	ELKO NV	89801-
	CURRENT RESIDENT		1399 STITZEL RD	ELKO NV	89801-
	CURRENT RESIDENT		1395 STITZEL RD	ELKO NV	89801-
	CURRENT RESIDENT		1391 STITZEL RD	ELKO NV	89801-
	CURRENT RESIDENT		1389 STITZEL RD	ELKO NV	89801-
	CURRENT RESIDENT		1385 STITZEL RD	ELKO NV	89801-
	CURRENT RESIDENT		1386 STITZEL RD	ELKO NV	89801-
	CURRENT RESIDENT		1381 STITZEL RD	ELKO NV	89801-
	CURRENT RESIDENT		1378 STITZEL RD	ELKO NV	89801-
	CURRENT RESIDENT		1377 STITZEL RD	ELKO NV	89801-
	CURRENT RESIDENT		1374 STITZEL RD	ELKO NV	89801-
	CURRENT RESIDENT		1373 STITZEL RD	ELKO NV	89801-
	CURRENT RESIDENT		1368 STITZEL RD	ELKO NV	89801-
	CURRENT RESIDENT		1369 STITZEL RD	ELKO NV	89801-
	CURRENT RESIDENT		1362 STITZEL RD	ELKO NV	89801-
	CURRENT RESIDENT		1361 STITZEL RD	ELKO NV	89801-
	CURRENT RESIDENT		1356 STITZEL RD	ELKO NV	89801-
	CURRENT RESIDENT		1355 STITZEL RD	ELKO NV	89801-

CURRENT RESIDENT	1347 STITZEL RD	ELKO NV	89801-
CURRENT RESIDENT	1336 STITZEL RD	ELKO NV	89801-
CURRENT RESIDENT	1343 STITZEL RD	ELKO NV	89801-
CURRENT RESIDENT	1326 STITZEL RD	ELKO NV	89801-
CURRENT RESIDENT	1339 STITZEL RD	ELKO NV	89801-
CURRENT RESIDENT	1335 STITZEL RD	ELKO NV	89801-
CURRENT RESIDENT	1329 STITZEL RD	ELKO NV	89801-
CURRENT RESIDENT	1321 STITZEL RD	ELKO NV	89801-
CURRENT RESIDENT	1299 STITZEL RD	ELKO NV	89801-
CURRENT RESIDENT	1296 STITZEL RD	ELKO NV	89801-
CURRENT RESIDENT	1295 STITZEL RD	ELKO NV	89801-
CURRENT RESIDENT	1292 STITZEL RD	ELKO NV	89801-
CURRENT RESIDENT	1291 STITZEL RD	ELKO NV	89801-
CURRENT RESIDENT	1288 STITZEL RD	ELKO NV	89801-
CURRENT RESIDENT	1284 STITZEL RD	ELKO NV	89801-
CURRENT RESIDENT	1283 STITZEL RD	ELKO NV	89801-
CURRENT RESIDENT	1280 STITZEL RD	ELKO NV	89801-
CURRENT RESIDENT	1275 STITZEL RD	ELKO NV	89801-
CURRENT RESIDENT	1276 STITZEL RD	ELKO NV	89801-
CURRENT RESIDENT	1271 STITZEL RD	ELKO NV	89801-
CURRENT RESIDENT	1272 STITZEL RD	ELKO NV	89801-
CURRENT RESIDENT	1267 STITZEL RD	ELKO NV	89801-
CURRENT RESIDENT	1268 STITZEL RD	ELKO NV	89801-
CURRENT RESIDENT	1263 STITZEL RD	ELKO NV	89801-
CURRENT RESIDENT	1264 STITZEL RD	ELKO NV	89801-
CURRENT RESIDENT	1259 STITZEL RD	ELKO NV	89801-
CURRENT RESIDENT	1258 STITZEL RD	ELKO NV	89801-
CURRENT RESIDENT	1255 STITZEL RD	ELKO NV	89801-
CURRENT RESIDENT	2300 WILDWOOD WAY	ELKO NV	89801-
CURRENT RESIDENT	2280 WILDWOOD WAY	ELKO NV	89801-
CURRENT RESIDENT	2308 WILDWOOD WAY	ELKO NV	89801-
CURRENT RESIDENT	1198 STITZEL RD	ELKO NV	89801-
CURRENT RESIDENT	2310 WILDWOOD WAY	ELKO NV	89801-
CURRENT RESIDENT	2307 WILDWOOD WAY	ELKO NV	89801-

CURRENT RESIDENT	1396 STITZEL RD	ELKO NV	89801-
CURRENT RESIDENT	2311 WILDWOOD WAY	ELKO NV	89801-
CURRENT RESIDENT	1384 ROSEWOOD	ELKO NV	89801-
CURRENT RESIDENT	1382 ROSEWOOD	ELKO NV	89801-
CURRENT RESIDENT	1378 ROSEWOOD	ELKO NV	89801-
CURRENT RESIDENT	1369 ROSEWOOD	ELKO NV	89801-
CURRENT RESIDENT	1376 ROSEWOOD	ELKO NV	89801-
CURRENT RESIDENT	1365 ROSEWOOD	ELKO NV	89801-
CURRENT RESIDENT	1372 ROSEWOOD	ELKO NV	89801-
CURRENT RESIDENT	1361 ROSEWOOD	ELKO NV	89801-
CURRENT RESIDENT	1368 ROSEWOOD	ELKO NV	89801-
CURRENT RESIDENT	1357 ROSEWOOD	ELKO NV	89801-
CURRENT RESIDENT	1364 ROSEWOOD	ELKO NV	89801-
CURRENT RESIDENT	1353 ROSEWOOD	ELKO NV	89801-
CURRENT RESIDENT	1360 ROSEWOOD	ELKO NV	89801-
CURRENT RESIDENT	1349 ROSEWOOD	ELKO NV	89801-
CURRENT RESIDENT	1356 ROSEWOOD	ELKO NV	89801-
CURRENT RESIDENT	1345 ROSEWOOD	ELKO NV	89801-
CURRENT RESIDENT	1352 ROSEWOOD	ELKO NV	89801-
CURRENT RESIDENT	1341 ROSEWOOD	ELKO NV	89801-
CURRENT RESIDENT	1348 ROSEWOOD	ELKO NV	89801-
CURRENT RESIDENT	1344 ROSEWOOD	ELKO NV	89801-
CURRENT RESIDENT	1340 ROSEWOOD	ELKO NV	89801-
CURRENT RESIDENT	1338 ROSEWOOD	ELKO NV	89801-
CURRENT RESIDENT	1334 ROSEWOOD	ELKO NV	89801-
CURRENT RESIDENT	1332 ROSEWOOD	ELKO NV	89801-
CURRENT RESIDENT	1328 ROSEWOOD	ELKO NV	89801-
CURRENT RESIDENT	1367 CHERRYWOOD WAY	ELKO NV	89801-
CURRENT RESIDENT	1363 CHERRYWOOD WAY	ELKO NV	89801-
CURRENT RESIDENT	1359 CHERRYWOOD WAY	ELKO NV	89801-
CURRENT RESIDENT	1355 CHERRYWOOD WAY	ELKO NV	89801-
CURRENT RESIDENT	1351 CHERRYWOOD WAY	ELKO NV	89801-
CURRENT RESIDENT	2382 WILDWOOD WAY	ELKO NV	89801-
CURRENT RESIDENT	1347 CHERRYWOOD WAY	ELKO NV	89801-

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CURRENT RESIDENT	1340 CHERRYWOOD WAY	ELKO NV	89801-
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CURRENT RESIDENT	1331 CHERRYWOOD WAY	ELKO NV	89801-
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CURRENT RESIDENT	1327 CHERRYWOOD WAY	ELKO NV	89801-
CURRENT RESIDENT	1330 CHERRYWOOD WAY	ELKO NV	89801-
CURRENT RESIDENT	1323 CHERRYWOOD WAY	ELKO NV	89801-
CURRENT RESIDENT	1326 CHERRYWOOD WAY	ELKO NV	89801-
CURRENT RESIDENT	1319 CHERRYWOOD WAY	ELKO NV	89801-
CURRENT RESIDENT	1320 CHERRYWOOD WAY	ELKO NV	89801-
CURRENT RESIDENT	1315 CHERRYWOOD WAY	ELKO NV	89801-
CURRENT RESIDENT	1316 CHERRYWOOD WAY	ELKO NV	89801-
CURRENT RESIDENT	1297 CHERRYWOOD WAY	ELKO NV	89801-
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CURRENT RESIDENT	1293 CHERRYWOOD WAY	ELKO NV	89801-
CURRENT RESIDENT	1296 CHERRYWOOD WY	ELKO NV	89801-
CURRENT RESIDENT	1289 CHERRYWOOD WAY	ELKO NV	89801-
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CURRENT RESIDENT	1286 CHERRYWOOD WAY	ELKO NV	89801-
CURRENT RESIDENT	1281 CHERRYWOOD WAY	ELKO NV	89801-
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CURRENT RESIDENT	1277 CHERRYWOOD WAY	ELKO NV	89801-
CURRENT RESIDENT	1278 CHERRYWOOD WY	ELKO NV	89801-
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CURRENT RESIDENT	1274 CHERRYWOOD WAY	ELKO NV	89801-
CURRENT RESIDENT	1269 CHERRYWOOD WAY	ELKO NV	89801-
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CURRENT RESIDENT	2381 WILDWOOD WAY	ELKO NV	89801-
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CURRENT RESIDENT	2357 WILDWOOD WAY	ELKO NV	89801-
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CURRENT RESIDENT	2355 WILDWOOD WAY	ELKO NV	89801-
CURRENT RESIDENT	2356 WILDWOOD WAY	ELKO NV	89801-
CURRENT RESIDENT	2353 WILDWOOD WAY	ELKO NV	89801-
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CURRENT RESIDENT	2335 WILDWOOD WAY	ELKO NV	89801-
CURRENT RESIDENT	2331 WILDWOOD WAY	ELKO NV	89801-
CURRENT RESIDENT	2329 WILDWOOD WAY	ELKO NV	89801-
CURRENT RESIDENT	2325 WILDWOOD WAY	ELKO NV	89801-
CURRENT RESIDENT	2321 WILDWOOD WAY	ELKO NV	89801-
CURRENT RESIDENT	2319 WILDWOOD WAY	ELKO NV	89801-
CURRENT RESIDENT	2317 WILDWOOD WAY	ELKO NV	89801-

178

Postmarked 6/25/21

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Elko City Planning Commission will conduct a public hearing on Tuesday, July 6, 2021 beginning at 5:30 P.M. P.D.S.T. at Elko City Hall, 1751 College Avenue, Elko, Nevada, and that the public is invited to provide input and testimony on these matters under consideration in person, by writing, by representative, or via Gotomeeting.com. https://global.gotomeeting.com/join/114164549.

The public can view or participate in the virtual meeting on a computer, laptop, tablet or smart phone at https://global.gotomeeting.com/join/114164549. You can also dial in using your phone. **+1 (224) 501-3412.** Access Code: **114-164-549.** Comments can also be emailed to cityclerk@elkocitynv.gov.

The specific item to be considered under public hearing format is:

- **Tentative Map 3-21, filed by Bailey and Associates, LLC for the development of a subdivision entitled Cedar Estates Phase 3 involving the proposed division of approximately 7.31 acres of property into 34 lots for residential development within the RMH (Residential Mobile Home) Zoning District, and matters related thereto. Subject property is located at the northern terminus of both Primrose Lane and Daisy Drive. (APN 001-926-111)**

Additional information concerning this item may be obtained by contacting the Elko City Planning Department at (775) 777-7160.

ELKO CITY PLANNING COMMISSION

LAMOILLE HWY
COLT DR
INDUSTRIAL WAY
WILDWOOD WAY
LAST CHANCE RD
NoName
STITZEL RD
ROSEWOOD WAY
ALABAMA AVE
CLERRYWOOD WAY
PINION RD
PRIMROSE LN
DAISY DR
OWL RD
CALIFORNIA AVE
CONNECTICUT CIR
*- Property owners
& tenants of Mobile
home park to recieve
public hearing notices

SUMMIT™ ENGINEERING CORPORATION
1150 Lamoille Highway
Elko, Nevada 89801
Phone (775) 738-8058 Fax (775) 738-8267

RECEIVED
JUN 09 2021

Transmittal

Date: 6/9/21

Cedar Estates Phase 3

To: Michele Rambo
City of Elko
1751 College Avenue
Elko, Nrvada 89801

From: Nitin I. Bhakta, P.E.
VP/Elko Area Manager

Gentlemen:

We are sending you the following items:

- ■ *Attached*
- ☐ *Under Separate Cover Via* _____
- ☐ *Contract*
- ☐ *Copy of Letter*
- ☐ *Field Report (s)*
- ■ *Plans*
- ☐ *Specifications*
- ☐ *Other* _____

These are transmitted as marked below:

■ *For Approval*	☐ *Approved as Submitted*	☐ *Resubmit for approval*	_____ *copies*
☐ *For Your Use*	☐ *Approved as Noted*	☐ *Submit for distribution*	_____ *copies*
■ *As Requested*	☐ *Returned for Corrections*	☐ *Return Corrected prints*	_____ *copies*
☐ *For Bids Due* _____		☐ *Prints returned after loan to us*	_____ *copies*
■ *For Review and Comment*		☐ *For Review and signature*	
☐ *Other* _____			

Remarks: Michele, please find attached One (3) sets of revised Tentative Map plans for Cedar Estates Phase 3 per your request

Call me with any questions you may have, thank you.

If enclosures are not as noted, kindly notify us at once.

SUMMIT ENGINEERING CORPORATION

May 28, 2021

RECEIVED
JUN 01 2021

City of Elko
Michele Rambo
Development Manager
1751 College Avenue
Elko, NV 89801

Re: Cedar Estates Phase 3 Tentative Map submittal revisions

Dear Michele:

Please see below for the revisions to the comments received on 5-21-21

1. During the Stage 1 meeting back in late 2019, we told Jon that the street name could not be something new. Instead, it had to be an extension of Daisy and/or Primrose. Bob and I think the most logical place to make a break between the two is at the northeast curve in the road from the corner of Lot 32 to the detention basin. That would give Lots 1-4 and 32-34 Daisy Drive addresses and Lots 5-31 Primrose Lane addresses.
    i. The street names have been modified to reflect the name change at the radius on the east side.
2. There are 10 of the 34 lots that have shorter-than-required front lot widths. We can try for a modification of standards approval, but with that many non-conforming lots, you may want to think about reducing the map by 1 lot and making some of the nonconforming lots wider. These lots are: 4, 5, 14, 17, 19, 21, 22, 23, 25, and 34. Lot 34 may just be a labeling error. The rear of the lot is 60 feet, but the front is adding up to only 59.86 feet.
    i. We were able to revise several lots to conform to standards, but due to the street curvature at the radius points not all lots will conform, we feel that with the revised layout we are achieving the best use of the property.
3. Please clarify how Lots 5-14 are draining along the rear. We are allowing cross-lot drainage for Lots 1-4 because that is the existing situation along Daisy Drive. However, there is no need for cross-lot drainage along the northern boundary line. Are these draining out the rear to Owl Road?
    i. The back of the lots now drain to Owl Road, and the cross lot grading has been revised. With the revised hydrology 95% of the lots between 5-14 will drain to the front of the street thus reducing the floe entering Owl Road
4. The IRC requires setbacks from buildings to the top of slopes. The grading plan appears to show the proposed units touching the top of the slopes along the northern and western boundaries. Please ensure that the required setbacks can be met.
    i. Grading has been revised to allow for at least a min. of 3' separation form face of building to top of slope. In addition, with footing depth of 30" or more per figure 1808.7.1 of the IBC, with a slope height of 36' on the west side of the subdivision, a min. of horizontal distance of 12', H/3 slope distance will be maintained form the face to the footing to the slope face.

1150 Lamoille Highway • Elko, Nevada 89801 • (775) 738-8058 FAX (775) 738-8267
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5. Please label the distance between driveways on Lots 14-15, 18-19, and 23-24. Section 3-2-17(B)(3)(c)(5) requires 10 feet between residential driveways along local roads. If that requirement is not being met, we can do a modification of standards to allow for the proposed driveway placement.
    i. These distances have been labeled and are more the 10' in width
6. There are no mailboxes shown on the plan. There was a question during the Stage 1 meeting of whether the post office would want the mailboxes for these units out on Pinion where the existing mailboxes for Phase 1 and 2 are located. If this is the case, please make a note on the map. Otherwise, please identify a mailbox location.
    i. Mailbox Gangbox location is now shown on the plans, with easement on west side of Primrose Lane near a street light.
7. The sewer line in front of Lots 23 and 24 is at a weird angle. Please consider moving the lower manhole north to line up to the upper manhole at a 90-degree angle.
    i. The angle has been reduced to allow for a 90 deg. Crossing with watermain.
8. There is no cut/fill quantity shown.
    i. Revised cut / fill quantity is attached.
9. The water lateral to Lot 4 is missing.
    i. Lateral was on wrong layer; it has been added back in.

Please contact me at our office (775) 787-4391 with any additional question or comments you may have about this project.

Sincerely,

SUMMIT ENGINEERING CORPORATION

Nitin I. Bhakta, PE
VP of Engineering / Elko Area Manager

Shelby Knopp

From: Amanda Marcucci <Amanda.Marcucci@swgas.com>
Sent: Tuesday, June 1, 2021 1:05 PM
To: Shelby Knopp
Subject: RE: EXTERNAL: Tentative Map Review

Hi Shelby,

Southwest Gas does not have any concerns with this tentative map.

Amanda

Amanda Marcucci, PE | Supervisor/Engineering

PO Box 1190 | 24A-580 | Carson City, NV 89702-1190
direct 775.887.2871 | mobile 775.430.0723 | fax 775.882.6072
amanda.marcucci@swgas.com | www.swgas.com

From: Shelby Knopp <sknopp@elkocitynv.gov>
Sent: Thursday, May 20, 2021 4:30 PM
To: NNDEngineering <nndengineering@swgas.com>
Subject: EXTERNAL: Tentative Map Review

[WARNING] This message originated outside of Southwest Gas. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

Good Afternoon,
Please see attached correspondence regarding Tentative Map No. 03-21 Cedar Estates Phase 3.

Thank you!

Shelby Knopp
Planning Technician
City of Elko
Planning Department
Ph (775) 777-7160
FX (775) 777-7219

CITY OF ELKO
Planning Department

Website: www.elkocitynv.gov
Email: planning@elkocitynv.gov

1751 College Avenue · Elko, Nevada 89801 · (775) 777-7160 · Fax (775) 777-7219

May 21, 2021

Southwest Gas Corporation
Engineering Department
PO Box 1190
Carson City, NV 89702
nndengineering@swgas.com

SUBJECT: Tentative Map No. 03-21/Cedar Estates – Phase 3 Subdivision

To Whom It May Concern:

Enclosed for your review and information is a copy of the submitted tentative map for the proposed Cedar Estates – Phase 3 subdivision, which is tentatively scheduled for consideration by the Elko City Planning Commission at their July 6, 2021 meeting.

Please submit written comments to the Elko City Planning Department. If we do not receive written comments prior to the scheduled meeting, we will assume you have no concerns regarding this application.

Thank you for your attention to this matter.

Sincerely,

Shelby Knopp

Shelby Knopp
Planning Technician

Enclosures

CITY OF ELKO
Planning Department

Website: www.elkocitynv.gov
Email: planning@elkocitynv.gov

1751 College Avenue · Elko, Nevada 89801 · (775) 777-7160 · Fax (775) 777-7219

May 21, 2021

Elko County Planning and Zoning
540 Court Street, Suite 104
Elko, NV 89801

Re: Tentative Map No. 03-21 / Cedar Estates – Phase 3 Subdivision

In accordance with the Communication Policy between the City of Elko and Elko County, the City of Elko hereby notices and advises the Board of County Commissioners of the County of Elko of the City's intention to consider a subdivision Tentative Map for division of approximately 7.31 acres of land into 34 lots. Please find enclosed a copy of the Tentative Map for your review and comment.

The subject property is located generally north of the terminus of Daisy Drive and Primrose Lane.

Review by the Elko City Planning Commission is scheduled for their July 6, 2021, regular meeting.

Please submit written comments to the Elko City Planning Department. If we do not receive written comments prior to the scheduled meeting, we will assume you have no concerns regarding this application.

Thank you for your attention to this matter.

Sincerely,

Shelby Knopp

Shelby Knopp
Planning Technician

Enclosures

CITY OF ELKO
Planning Department

Website: www.elkocitynv.gov
Email: planning@elkocitynv.gov

1751 College Avenue · Elko, Nevada 89801 · (775) 777-7160 · Fax (775) 777-7219

May 21, 2021

NV Energy
Attn: Katherine Perkins
6100 Neil Road
Reno, NV 89511

SUBJECT: Tentative Map No. 03-21/Cedar Estates – Phase 3

Dear Ms. Perkins:

Enclosed for your review and information is a copy of the submitted tentative map for the proposed Cedar Estates – Phase 3 subdivision, which is tentatively scheduled for consideration by the Elko City Planning Commission at their July 6, 2021 meeting.

Please submit written comments to the Elko City Planning Department. If we do not receive written comments prior to the scheduled meeting, we will assume you have no concerns regarding this application.

Thank you for your attention to this matter.

Sincerely,

Shelby Knopp

Shelby Knopp
Planning Technician

Enclosures

CITY OF ELKO
Planning Department

Website: www.elkocitynv.gov
Email: planning@elkocitynv.gov

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May 21, 2021

Frontier Communications
John Poole
1520 Church Street
Gardnerville, NV 89410

SUBJECT: Tentative Map No. 03-21/Cedar Estates – Phase 3 Subdivision

Dear Mr. Poole:

Enclosed for your review and information is a copy of the submitted tentative map for the proposed Cedar Estates – Phase 3 subdivision, which is tentatively scheduled for consideration by the Elko City Planning Commission at their July 6, 2021 meeting.

Please submit written comments to the Elko City Planning Department. If we do not receive written comments prior to the scheduled meeting, we will assume you have no concerns regarding this application.

Thank you for your attention to this matter.

Sincerely,

Shelby Knopp

Shelby Knopp
Planning Technician

Enclosures

CITY OF ELKO
Planning Department

Website: www.elkocitynv.gov
Email: planning@elkocitynv.gov

1751 College Avenue · Elko, Nevada 89801 · (775) 777-7160 · Fax (775) 777-7219

May 21, 2021

Elko County School District
Ms. Michele Robinson
PO Box 1012
Elko, NV 89803

SUBJECT: Tentative Map No. 03-21/Cedar Estates – Phase 3 Subdivision

Dear Ms. Robinson:

Enclosed for your review and information is a copy of the submitted tentative map for the proposed Cedar Estates – Phase 3 subdivision, which is tentatively scheduled for consideration by the Elko City Planning Commission at their July 6, 2021 meeting.

Please submit written comments to the Elko City Planning Department. If we do not receive written comments prior to the scheduled meeting, we will assume you have no concerns regarding this application.

Thank you for your attention to this matter.

Sincerely,

Shelby Knopp

Shelby Knopp
Planning Technician

Enclosures

CITY OF ELKO
Planning Department

Website: www.elkocitynv.gov
Email: planning@elkocitynv.gov

1751 College Avenue · Elko, Nevada 89801 · (775) 777-7160 · Fax (775) 777-7219

May 21, 2021

Zito Media
Mr. Dustin Hurd
VIA Email: dustin.hurd@zitomedia.com

SUBJECT: Tentative Map No. 03-21/Cedar Estates – Phase 3 Subdivision

Dear Mr. Hurd:

Enclosed for your review and information is a copy of the submitted tentative map for the proposed Cedar Estates – Phase 3 subdivision, which is tentatively scheduled for consideration by the Elko City Planning Commission at their July 6, 2021 meeting.

Please submit written comments to the Elko City Planning Department. If we do not receive written comments prior to the scheduled meeting, we will assume you have no concerns regarding this application.

Thank you for your attention to this matter.

Sincerely,

Shelby Knopp

Shelby Knopp
Planning Technician

Enclosures

City of Elko – Development Department
1755 College Avenue
Elko, NV 89801
Telephone: 775.777.7210
Facsimile: 775.777.7219

May 20, 2021

Summit Engineering
Attn: Nitin Bhakta
1150 Lamoille Highway
Elko, NV 89801

Re: Cedar Estates Phase 3 Tentative Map – Complete Submittal

Dear Mr. Bhakta:

The City of Elko has reviewed your Tentative Map application materials for Cedar Estates Phase 3 (submitted May 19, 2021) and has found them to be complete. We will now begin processing your application by transmitting the materials to other City departments for their review. You may receive further comments or corrections as these reviews progress. Barring any complications, this Tentative Map will be scheduled for Planning Commission on July 6, 2021 and City Council on July 27, 2021.

I will keep you updated on the status of your application, but please feel free to contact me at (775) 777-7217 if you have any questions.

Sincerely,

Michele Rambo

Michele Rambo, AICP
Development Manager
mrambo@elkocitynv.gov

CC: Bailey & Associates
Attn: Sheldon Hetzle
780 W Silver Street, #104
Elko, NV 89801

City of Elko – File

SUMMIT ENGINEERING CORPORATION

May 19, 2021

RECEIVED
MAY 19 2021

City of Elko
Michele Rambo
Development Manager
1751 College Avenue
Elko, NV 89801

Re: Cedar Estates Phase 3 Tentative Map submittal

Dear Michele:

On behalf of Bailey Homes, please see attached the Tentative Map submittal documents for your review for the Cedar Estates Phase 3 RMH subdivision.

This is a 34-unit RMH subdivision which is an extension off of the Phase 1 and 2 development along Primrose Lane and Daisy Drive. The quality of material to be graded on-site classify predominately as Silty Sand w/Gravel (SM). This material is suitable for direct foundation support with no over excavation required. In addition, we believe that this addition to the existing Phase 1 and Phase 2 development will have minimal impact on traffic and flow to the local residential streets.

Attachments:

- Three sets of Stamped and signed plans.
- Tentative Map application with a check in the amount of $1,600
- Hydrology Report, earthwork quantities and zoning map
- Stamped legal description of the Phase 3 addition
- 8.5" X 11" plan sets

Please contact me at our office (775) 787-4391 with any additional question or comments you may have about this project.

Sincerely,

SUMMIT ENGINEERING CORPORATION

Nitin I. Bhakta, PE
VP of Engineering / Elko Area Manager

1150 Lamoille Highway • Elko, Nevada 89801 • (775) 738-8058 FAX (775) 738-8267
5405 Mae Anne Avenue • Reno, Nevada 89523 • (775) 747-8550 FAX (775) 747-8559

CITY OF ELKO PLANNING DEPARTMENT

1751 College Avenue * Elko * Nevada * 89801

(775) 777-7160 * (775) 777-7219 fax

APPLICATION FOR TENTATIVE MAP (STAGE II) APPROVAL

****PRIOR TO SUBMITTING THIS APPLICATION, PRE-APPLICATION (STAGE I) MUST BE COMPLETE****

APPLICANT(s): Bailey & Associates LLC
MAILING ADDRESS: 780 W. Silver St., Suite 104, Elko, NV 89801
PHONE NO (Home): 775-351-9582 **(Business):** 775-777-7773
EMAIL: Sheldon.SpringCreek@gmail.com
NAME OF PROPERTY OWNER (If different): Same as above
(Property owner consent in writing must be provided)
MAILING ADDRESS: _____
LEGAL DESCRIPTION AND LOCATION OF PROPERTY INVOLVED (Attach if necessary):
ASSESSOR'S PARCEL NO.: 001926111 **Address** 0 Daisy Dr.
Lot(s), Block(s), &Subdivision _____
Or Parcel(s) & File No. _____

APPLICANT'S REPRESENTATIVE: Sheldon F. Hetzel
MAILING ADDRESS: 780 W. Silver St., Suite 104, Elko, NV 89801
PHONE NO: 775-351-9582 **EMAIL:** Sheldon.SpringCreek@gmail.com

***FILING REQUIREMENTS*:**

Complete Application Form: In order to begin processing the application, an application form must be complete and signed. *Complete* applications are due at least 42 days (6 weeks) prior to the next scheduled meeting of the Elko City Planning Commission (meetings are the 1st Tuesday of every month), and must include the following:

1. One .pdf of the entire application, and three (3) 24" x 36" copies of the tentative map, grading plan, and utility plan folded to a size not to exceed 9"x12" provided by a properly licensed surveyor or civil engineer, and any required supporting data, prepared in accordance with Section 3-3-5(C) and 3-3-6 of the Elko City Code (see attached checklist).
2. A Development Master Plan when, in the opinion of the Planning Commission, the proposed subdivision possesses certain characteristics, such as size, impact on neighborhoods, density, topography, utilities, and/or existing and potential land uses, that necessitate the preparation of a Development Master Plan.
3. Applications/fees for State of Nevada review. (See Page 5)

Fee: $750.00 + $25.00 per lot including remainder parcels; non-refundable.

Other Information: The applicant is encouraged to submit other information and documentation to support the request.

RECEIVED
MAY 19 2021

PROJECT DESCRIPTION OR PURPOSE: The proposed subdivision is Phase 3 of Cedar Estates. This is the 3rd and final phase of Cedar Estates, a manufactured homes subdivision, off of Pinion, just west of the City landfill. It is proposed that a street be built in a loop that will connect Daisy drive around in a loop to connect with Primrose Lane. Phase 3 will, as proposed, provide 34 lots in the RMH zone of the city, providing additional lots for the installation of manufactured homes on permanent foundations, as provided for in the RMH Zone. The road will be dedicated to the City. Phase 3 will include all required public utilities to each lot, along with sidewalks, post office boxes, street lights and signs as required in the City Code. Phase 3 will provide an important option for citizens seeking home ownership, who may not be able to afford the rapidly increasing prices of a traditional stick built home. The subdivision will provide nicely improved lots in a quiet, new neighborhood. Phase 3 will add value to the City and the citizens who will call Cedar Estates Phase 3 home.

(Use additional pages if necessary)

Tentative Map Checklist as per Elko City Code 3-3-6

Date	Name
Identification Data	
✔	Subdivision Name
✔	Location and Section, Township and Range
✔	Reference to a Section Corner or Quarter-Section Corner
✔	Name, address, phone number, and email of subdivider
✔	Name, address, phone number, and email of engineer/surveyor
✔	Scale, North Point and Date of Preparation
✔	Dates of Revisions
✔	Location maps
✔	Legal description of boundaries
Existing Conditions Data	
✔	2' contours on city coordinate system
✔	Location of Water Wells
✔	Location of Streams, private ditches, washes and other features
✔	Location of Designated flood zones
✔	The Location, widths and Names of all platted Streets, ROW
✔	Municipal Corporation Lines
✔	Name, book and page numbers of all recorded plats
✔	Existing Zoning Classifications in conformance with Master Plan Land Use
✔	Zoning of Adjacent Properties
✔	Dimensions of all tract boundaries, gross and net acreage
Proposed Conditions Data	
✔	Street Layout, location, widths, easements
✔	Traffic Impact Analysis
✔	Lot Layout, including dimensions of typical lots
✔	Corner Lot Layout
✔	Lot layout on Street Curves
✔	Each lot numbered consecutively
✔	Total number of lots
✔	Location, Width and proposed use of easements
✔	Location, extent and proposed use of all land to be dedicated
✔	Location and boundary of all proposed zoning districts
N/A	Draft of proposed deed restrictions
✔	Preliminary Grading Plan
✔	Conceptual cut and fill
✔	Estimated quality of material to be graded
Proposed Utilities	
✔	Sewage Disposal, design for sewage disposal
ELKO CITY	Water Supply, Evidence of adequate volume and quality
✔	Storm Drain, Preliminary Calculations and Layout
BY UTILITIES	Telephone, Power, Gas, Television
ELKO CITY	Intent to Serve Letter from Utility Department

By My Signature below:

☑ I consent to having the City of Elko Staff enter on my property for the sole purpose of inspection of said property as part of this application process.

☐ I object to having the City of Elko Staff enter onto my property as a part of their review of this application. (Your objection will not affect the recommendation made by the staff or the final determination made by the City Planning Commission or the City Council.)

☑ I acknowledge that submission of this application does not imply approval of this request by the City Planning Department, the City Planning Commission and the City Council, nor does it in and of itself guarantee issuance of any other required permits and/or licenses.

☑ I acknowledge that this application may be tabled until a later meeting if either I or my designated representative or agent is not present at the meeting for which this application is scheduled.

☑ I have carefully read and completed all questions contained within this application to the best of my ability.

Applicant / Agent Sheldon F. Hetzel
(Please print or type)

Mailing Address 780 W. Silver St., Suite 104
Street Address or P.O. Box

Elko, NV 89801
City, State, Zip Code

Phone Number: 775-351-9582

Email address: Sheldon.SpringCreek@gmail.com

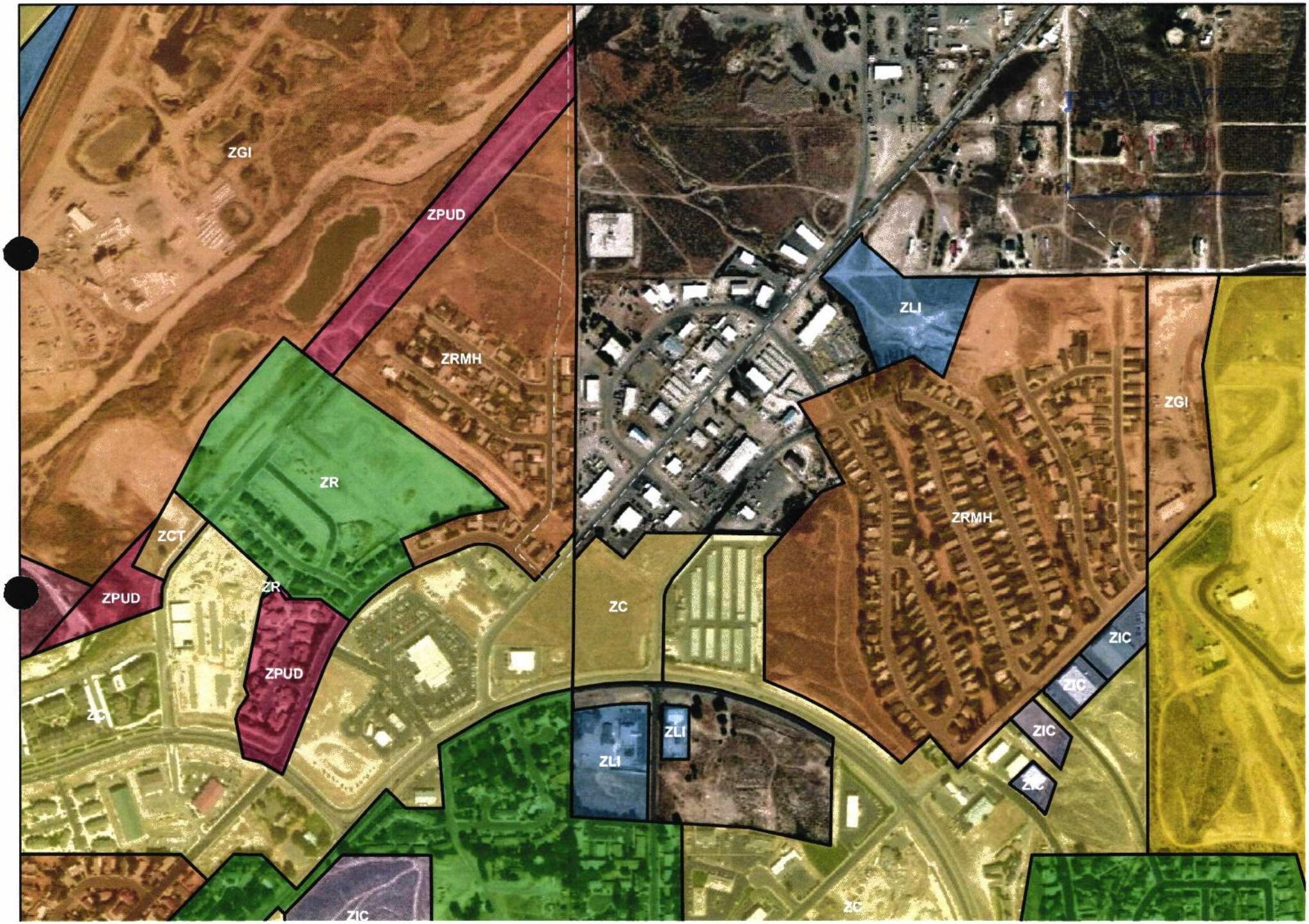
SIGNATURE: _____

FOR OFFICE USE ONLY

34 lots x $25 = $850
+ 750
$1600

File No.: 3-21 **Date Filed:** 5/19/21 **Fee Paid:** $1600 CK# 36448

City of Elko Zoning Map



OWNER / DEVELOPER

BAILEY AND ASSOCIATES LLC.
780 WEST SILVER STREET, #104
ELKO, NEVADA 89801

ATTN: SHELDON HETZEL
775-777-7773
INFO@NEWHOMESELKO.COM

TENTATIVE MAP FOR CEDAR ESTATES SUBDIVISION PHASE 3 ELKO, NEVADA

ELKO **ELKO COUNTY** **NEVADA**

ENGINEER

SUMMIT ENGINEERING CORPORATION
1150 LAMOILLE HIGHWAY
ELKO, NEVADA 89801
(775) 738 - 8058
WWW.SUMMITNV.COM
NITIN@SUMMITNV.COM

PROJECT DATA

TOTAL SUBDIVIDED AREA = 7.31 ACRES
TOTAL RIGHT-OF-WAY AREA = 1.08 ACRES (57,848 SF)
OFFERED FOR DEDICATION
NET AREA ~ (TOTAL AREA - RIGHT-OF-WAY AREA) = 6.23 ACRES

TOTAL UNITS = 34 LOTS
ESTIMATED WATER USAGE = 38.10 ACRE FEET PER YEAR
ESTIMATED SEWER CONTRIBUTIONS = 11,900 GALLONS PER DAY
THIS PROPOSED SUBDIVISION IS LOCATED IN SECTION 13, T 34 N, R 55 E. MDB&M.

THE REQUIRED FIRE FLOW FOR THIS DEVELOPMENT WILL BE A MINIMUM OF 1,500 GPM FOR 2 HOURS, FOR RESIDENTIAL TYPE V-B CONSTRUCTION.

BASIS OF BEARINGS

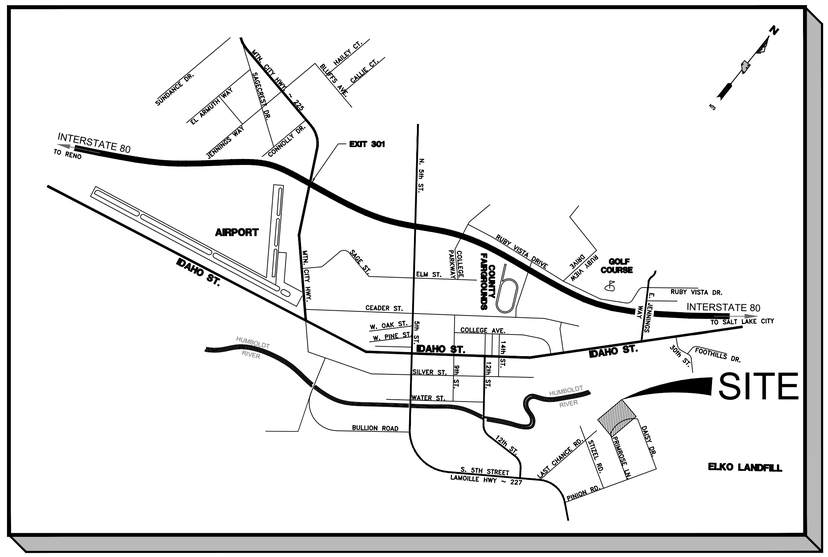
THE BOUNDARY LINE ADJUSTMENT RECORD OF SURVEY FOR CEDAR ESTATES, LLC. AND MARIA TARABINI, RECORDED IN THE OFFICE OF THE ELKO COUNTY RECORDER AS FILE NO. 548514, ON FEBRUARY 9, 2006.

BASIS OF ELEVATION

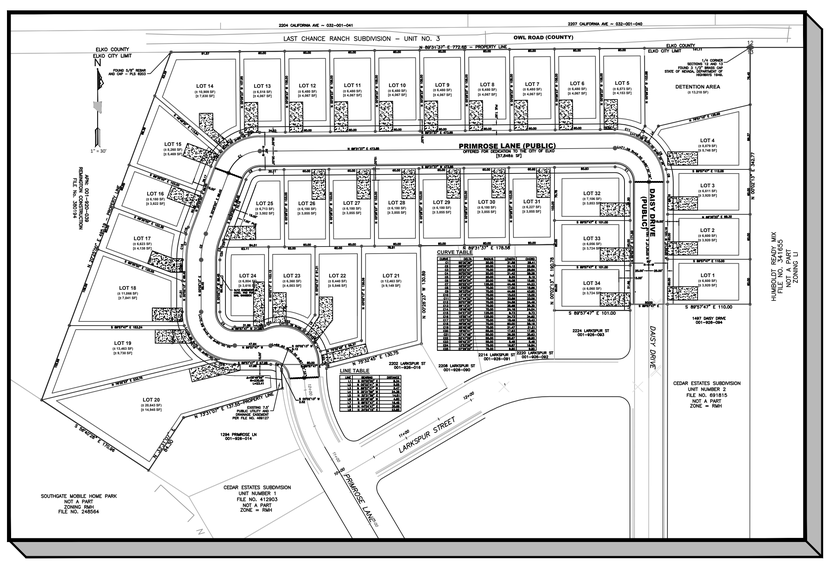
THE NGS BENCHMARK, B-52, SET IN THE WALL OF THE ELKO MAIN POST OFFICE, AT THE NORTHERLY CORNER OF THE BUILDING, TAKEN AS THE NAVD '88 ELEVATION OF 5066.47'.

ABBREVIATIONS

A.C.	ASPHALTIC CONCRETE	M.D.D	MAXIMUM DRY DENSITY
AGG.	AGGREGATE	LT.	LEFT
B.C.	BEGIN CURVE	L.P.	LOW POINT
B.F.	BOTTOM OF FOOTING	M.H.	MANHOLE
B.V.C.	BEGIN VERTICAL CURVE	P.	PAD ELEVATION
B.W.	BACK OF SIDEWALK	PCC	POINT OF COMPOUND CURV.
C.B.	CATCH BASIN	PI.	POINT OF INTERSECTION
℄	CENTERLINE	P.R.C.	POINT OF REVERSE CURVATURE
CONC.	CONCRETE	P.V.C.	POLYVINYL CHLORIDE PIPE
CONST.	CONSTRUCT	P.O.	PUSH ON
CLR	CLEARANCE	P.U.E.	PUBLIC UTILITY EASEMENT
C.P.	CONCRETE PIPE	℄	PROPERTY LINE
C.R.	CURB RETURN	Q10	10-YEAR STORM FLOW
D.I.	DROP INLET	Q100	100-YEAR STORM FLOW
DET.	DETAIL	(R)	RADIAL
E.	ELECTRICAL	R	RADIUS
ELEV.	ELEVATION	REF.	REFERENCE
E.C.	END OF CURVE	R.C.P.	REINFORCED CONCRETE PIPE
E.V.C.	END OF VERTICAL CURVE	R.P.	RADIUS POINT
EXIST.	EXISTING	RT.	RIGHT
(e)	EXISTING	R/W	RIGHT OF WAY
E.G.	EXISTING GRADE	S	SLOPE
F.F.	FINISHED FLOOR	S.G.	SUBGRADE
F.F.C.	FRONT FACE OF CURB	S.S.	SANITARY SEWER
F.G.	FINISHED GRADE	S.W.	SIDEWALK
F.H.	FIRE HYDRANT	STD.	STANDARD
℄	FLOW LINE	SHT.	SHEET
FLG.	FLANGE	STA.	STATION
G.	GAS	S.D.	STORM DRAIN
G.B.	GRADE BREAK	T	TANGENT
GTV.	GATE VALVE	TELE.	TELEPHONE
H.C.	HANDICAPPED	T.C.	TOP OF CURB
HORIZ.	HORIZONTAL	T.B.	THRUST BLOCK
H.P.	HIGH POINT	TOE	TOE OF SLOPE
INT.	INTERSECTION	TOP	TOP OF SLOPE
I.E.	INVERT ELEVATION	TYP.	TYPICAL
L	LENGTH	V.C.	VERTICAL CURVE
L.F.	LINEAL FEET	V.P.I.	VERT. POINT OF INTERSECTION
L.P.	LOW POINT	W	WATER
		△	CURVE DELTA



VICINITY MAP



SITE PLAN

SHEET INDEX

T-1	.....	TITLE SHEET
N-1	.....	GENERAL NOTES SHEET
S-1	.....	SITE PLAN
G-1	.....	GRADING PLAN
U-1	.....	UTILITY PLAN

LAND USE CLASSIFICATION

RMH (RESIDENTIAL MANUFACTURED HOUSING)

EASEMENTS: ALL LOTS TO CONTAIN A 5.00' UTILITY AND DRAINAGE EASEMENT ALONG THE SIDES AND REAR LOT LINES AND A 7.50' DRAINAGE AND UTILITY EASEMENT ALONG THE CITY RIGHT-OF-WAY

FLOOD PLAIN: BASED ON THE FLOOD INSURANCE RATE MAP FOR THE CITY OF ELKO, 32007C5628E, DATED SEPTEMBER 4, 2013 THE ENTIRE SITE LIES OUTSIDE THE 100 YEAR FLOOD PLAIN

SITE INFO: BASED UPON THE CITY OF ELKO AND BLM HISTORIC DATA THE SUBJECT PROPERTY HAS BEEN EXCLUSIVELY USED AS OPEN RANGE.

LOCATION: THIS SITE IS LOCATED WITHIN SECTION 13, TOWNSHIP 34 NORTH RANGE 55 EAST IN ELKO, NEVADA

ADJACENT ZONING:
NORTH - EXISTING RESIDENTIAL - COUNTY LOTS
SOUTH - EXISTING RMH PHASE 1 & 2 OF CEDAR ESTATES
EAST - HUMBOLDT READY MIX - LIGHT INDUSTRIAL
WEST - EXISTING UNDEVELOPED LIGHT INDUSTRIAL PROPERTY

UTILITIES

ELECTRIC	~ NV ENERGY
TELEVISION	~ ZITO MEDIA
TELEPHONE	~ FRONTIER COMMUNICATION
GAS	~ SOUTHWEST GAS CORPORATION
WATER	~ CITY OF ELKO
SANITARY SEWER	~ CITY OF ELKO
GARBAGE UTILITIES	~ ELKO SANITATION (CITY LANDFILL)

SPECIFICATIONS

ALL CONSTRUCTION SHALL CONFORM TO THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION (CURRENT EDITION AND ANY APPURTENANT SUPPLEMENTS) SPONSORED AND DISTRIBUTED BY RENO, SPARKS, WASHOE COUNTY, AND THE RECOMMENDATIONS ESTABLISHED BY THE SOILS INVESTIGATION FOR THIS SITE.

ENGINEER'S STATEMENT

THESE PLANS (SHEETS T-1 OF 5 THROUGH U-1 OF 5) HAVE BEEN PREPARED IN ACCORDANCE WITH ACCEPTED ENGINEERING PROCEDURES AND GUIDELINES, AND ARE IN SUBSTANTIAL COMPLIANCE WITH APPLICABLE STATUTES, CITY ORDINANCES, AND CODES. IN THE EVENT OF CONFLICT BETWEEN ANY PORTION OF THESE PLANS AND CITY CODES, THE CITY CODES SHALL PREVAIL.

SUMMIT ENGINEERING CORPORATION
1150 LAMOILLE HIGHWAY, ELKO, NV. 89801
PHONE:(775) 738-8058 FAX:(775) 747-8559

May 19, 2021

REV.	DATE	DESCRIPTION	BY	APP'D

TENTATIVE MAP FOR CEDAR ESTATES SUBDIVISION ~ PHASE 3
TITLE SHEET
ELKO COUNTY ELKO NEVADA

DESIGNED BY: CIVIL 3
CHECKED BY: NIB
SCALE
HORIZ: 1"=40'
VERT: NONE
JOB NO: 81966

PROFESSIONAL ENGINEER - STATE OF NEVADA
NITIN I. BHAKTA
Exp. 12-31-22
CIVIL
No. 15494

SHEET T-1 OF 5

N:\Dwgs\81966_Cedar Estates_Bailey\CIVIL\81966_CEDAR CREEK ESTATES.dwg

LEGEND

- SD 12" — PROPOSED STORM DRAIN / SANITARY SEWER W/SIZE & DIRECTION INDICATOR
- SD 12" — EXISTING STORM DRAIN/SANITARY SEWER W/SIZE & DIRECTION INDICATOR
- SEWER LATERAL
- AC PAVEMENT AREA
- CONCRETE AREA (4000 PSI)
- TYPE 2 BASE GRAVEL AREA (95% MDD)
- EXISTING AC PAVEMENT
- GRADE BREAK
- 53.96 TC — PROPOSED ELEV. @ FRONT FACE TOP OF CURB
- 52.45 GB — PROPOSED ELEV. @ GRADE BREAK
- 51.27 HP — PROPOSED ELEV. @ HIGH PT.
- 51.86 FL — PROPOSED ELEV. @ FLOW LINE
- 51.25 FG — PROPOSED ELEV. @ FINISHED GRADE
- 4900 — EXISTING CONTOUR LINE
- 4900 — PROPOSED CONTOUR LINE
- ACCESSIBLE RAMP
- DRAINAGE SWALE FLOW LINE
- CUT OR FILL SLOPE
- SD — EXISTING STORM DRAIN
- GAS — EXISTING GAS
- PROPOSED FENCE
- TELE — EXISTING TELEPHONE
- OE — EXISTING ELECTRIC OVERHEAD LINE
- WTR — EXISTING WATERLINE
- SS — EXISTING SANITARY SEWER
- BACKFLOW PREVENTOR
- CHECK VALVE
- CHECK VALVE–DOUBLE
- FLUSH VALVE
- METER–DUAL
- METER–SINGLE
- REDUCER
- SERVICE–DUAL
- SERVICE–SINGLE
- TEE
- VALVE
- EX ELECTRIC VAULT/BOX
- EXISTING TEELPHONE PEDESTAL
- EXISTING LIGHT
- EXISTING SIGN
- PROPOSED SIGN
- PROPOSED SS CLEANOUT
- EXISTING FIRE HYDRANT
- CAP W/ THRUST BLOCK
- 11.25° ELBOW
- 22.5° ELBOW
- 45° ELBOW
- 90° ELBOW
- ELECTRIC PULL BOX
- PROPOSED FIRE HYDRANT
- PROPOSED WTR METER VAULT
- EXISTING STREET LIGHT
- TYPE 7 STREET LIGHT
- PROPOSED MONUMENT
- WV — WATER VALVE (HOLLOW IF EXISTING)
- EXISTING GAS VALVE
- EXISTING METER PIT
- SS & SD MANHOLE (HOLLOW IF EXISTING)
- CATCH BASIN (HOLLOW IF EXISTING)
- FIRE SERVICE
- GUY WIRE
- RIPRAP EROSION CONTROL

GENERAL NOTES

1. THE CONTRACTOR SHALL VERIFY IN THE FIELD, ALL ELEVATIONS, DIMENSIONS, FLOW LINES, EXISTING CONDITIONS, AND POINTS OF CONNECTIONS WITH ADJOINING PROPERTY (PUBLIC OR PRIVATE), ANY DISCREPANCIES SHALL BE CALLED TO THE ATTENTION OF THE PROJECT ENGINEER BEFORE PROCEEDING WITH THE WORK.
2. THE CONTRACTOR SHALL KEEP A REDLINE SET OF AS–BUILTS PLANS ON–SITE AND WORK WITH THE PROJECT ENGINEER AT COMPLETION TO ENSURE ACCURATE AS–BUILT DRAWINGS CAN BE GENERATED AND SUBMITTED TO THE CITY OF ELKO AND THE OWNER BY THE PROJECT ENGINEER.
3. THE CONTRACTOR SHALL NOTIFY THE PROJECT ENGINEER, THE SOILS ENGINEER, THE CITY OF ELKO, AND ALL UTILITY COMPANIES 48 HOURS PRIOR TO COMMENCEMENT OF WORK.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY AND ALL DAMAGE TO THE EXISTING UTILITIES ENCOUNTERED DURING CONSTRUCTION. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO ONTACT THE UTILITY COMPANIES FOR LOCATIONS PRIOR TO CONSTRUCTION. HORIZONTAL AND VERTICAL LOCATIONS OF EXISTING UTILITIES ARE APPROXIMATE ONLY. THE CONTRACTOR SHALL CALL UNDERGROUND SERVICES ALERT AT 1.800.227.2600 AT LEAST 48 HOURS PRIOR TO EXCAVATION.
5. ALL UTILITY TRENCHES SHALL CONFORM TO SIERRA PACIFIC POWER, SATVIEW BROADBAND LLC, FRONTIER COMMUNICATIONS, AND SOUTHWEST GAS SPECIFICATIONS. CONTRACTOR TO COORDINATE INSTALLATION OF ALLUTILITY TRENCHES WITH LOCAL UTILITIES.
6. CONTRACTOR TO OBTAIN AND PAY FOR PERMITS FROM THE CITY OF ELKO PRIOR TO EXCAVATING WITHIN THE CITY RIGHT–OF–WAY.
7. AT ALL POINTS WHERE SEWER (SANITARY OR STORM), WATER MAINS AND LATERALS CROSS, VERTICAL AND HORIZONTAL SEPARATION SHALL BE MAINTAINED PER NAC. ENGINEER AND CONTRACTOR TO REFERENCE SECTION 445A.6715 TO SECTION 445A.6718 OF THE NEVADA ADMINISTRATIVE CODE FOR UTILITY SEPARATION AND CLEARANCES.
8. ALL SANITARY SEWER MAINS SHALL BE A MIN. OF 8" SDR 35 PVC (GREEN) PIPE. ALL RESIDENTIAL SANITARY SEWER LATERALS SHALL BE A MIN. 4" SDR 35 PVC PIPE WITH A 2% SLOPE MINIMUM UNLESS OTHERWISE SHOWN.
9. ALL WATER MAINS SHALL BE MIN. OF 8" THICK CLASS 50 OR PRESSURE CLASS 350 DUCTILE IRON PIPE WITH POLYETHYLENE ENCASEMENT WRAPPED IN (8 MIL VISQUEEN) OR DR 18 C900 PIPE UNLESS OTHERWISE SHOWN. ALL 4"/6" FIRE SPRINKLER LINES SHALL BE DIP OR DR 18 C900 PIPE.
10. ALL CONSTRUCTION SHALL CONFORM TO AWWA C–600. MINIMUM COVER OVER THE WATER MAIN SHALL BE 42" WITH TRACE WIRE AND WARNING TAPE.
11. THE CITY OF ELKO UTILITY DEPARTMENT SHALL BE CONTACTED TO PERFORM ALL TAPS ONTO CITY OF ELKO UTILITIES.
12. THE CITY OF ELKO UTILITY DEPARTMENT SHALL BE CONTACTED FOR AUTHORIZATION TO PLACE ANY NEW WATER SYSTEMS, EXTENSIONS, REPLACEMENTS IN EXISTING SYSTEMS AND VALVED SECTIONS INTO SERVICE FOR TESTING OR FINAL ACCEPTANCE.
13. ALL WATER SERVICE LINES SHALL BE 2" IRON PIPE SIZE (IPS) RATED 200 PSI POLYETHYLENE DR11 UNLESS OTHERWISE SHOWN.
14. BEFORE BEING CERTIFIED BY AN ENGINEER OR ACCEPTED BY THE CITY OF ELKO, ANY NEW WATER SYSTEMS, EXTENSIONS, REPLACEMENTS IN EXISTING SYSTEMS AND VALVED SECTIONS SHALL BE DISINFECTED IN ACCORDANCE WITH AWWA C–651, "DISINFECTING WATER MAINS".
15. BEFORE BEING CERTIFIED BY AN ENGINEER OR ACCEPTED BY THE CITY OF ELKO, ANY NEW WATER SYSTEMS, EXTENSIONS, REPLACEMENTS IN EXISTING SYSTEMS AND VALVED SECTIONS SHALL BE PRESSURE TESTED INACCORDANCE WITH NAC445A.67145.7 (a) AND (b) AND INSPECTED BY THE CITY OF ELKO.
16. GRADING AROUND BUILDINGS TO BE DONE IN A MANNER AS TO PROVIDE POSITIVE DRAINAGE AWAY FROM BUILDING IN ACCORDANCE WITH CITY OF ELKO REQUIREMENTS.
17. LAND GRADING SHALL BE DONE IN A METHOD TO PREVENT DUST FROM TRAVERSING THE PROPERTY LINE.
18. WATER METERS SHALL BE INSTALLED DURING ANY DEVELOPMENT AND PRIOR TO THE ISSUANCE OF CERTIFICATE OF OCCUPANCY FOR THE PARCELS SHOWN OR SUBSEQUENT DIVISION OF THE PARCELS SHOWN. WATER AND SEWER THROUGHOUT THE DEVELOPMENT WILL BE DEDICATED TO THE CITY OF ELKO UP TO THE WATER METER LOCATIONS. A BLANKET UTILITY EASEMENT SHALL BE GRANTED THROUGHOUT THE PARKING CORRIDOR.
19. ALL EXISTING UTILITY ADJUSTMENTS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
20. ALL EXISTING ASPHALT REMOVAL AND REPLACEMENT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
21. ALL LOTS SHALL BE RESTRICTED TO ACCESS OFF OF CEDAR CREEK WAY.

Avoid cutting underground utility lines. It's costly.

Call before you Dig

1–800–227–2600

UNDERGROUND SERVICE (USA)

STORMWATER POLLUTION PREVENTION NOTES

1) THE CONTRACTOR AND/OR THEIR AUTHORIZED AGENTS SHALL EACH DAY REMOVE ALL SEDIMENT, MUD, CONSTRUCTION DEBRIS, OR OTHER POTENTIAL POLLUTANTS THAT MAY HAVE BEEN DISCHARGED TO, OR ACCUMULATE IN, THE PUBLIC RIGHTS OF WAYS OF THE CITY OF ELKO AS A RESULT OF CONSTRUCTION ACTIVITIES ASSOCIATED WITH THIS SITE DEVELOPMENT OR CONSTRUCTION PROJECT. SUCH MATERIALS SHALL BE PREVENTED FROM ENTERING THE STORM WATER SYSTEM.

2) ADDITIONAL CONSTRUCTION SITE DISCHARGE BEST MANAGEMENT PRACTICES (BMP) MAY BE REQUIRED OF THE OWNER AND HIS OR HER AGENTS DUE TO UNFORESEEN EROSION PROBLEMS OR IF THE SUBMITTED PLAN DOES NOT MEET THE PERFORMANCE STANDARDS SPECIFIED IN THE CITY OF ELKO CONSTRUCTION SITE BEST MANAGEMENT PRACTICES HANDBOOK.

3) TEMPORARY OR PERMANENT STABILIZATION PRACTICES WILL BE INSTALLED ON DISTURBED AREAS AS SOON AS PRACTICABLE AND NO LATER THAN 14 DAYS AFTER THE CONSTRUCTION ACTIVITY IN THAT PORTION OF THE SITE HAS TEMPORARILY OR PERMANENTLY CEASED. SOME EXCEPTIONS MAY APPLY; REFER TO STORM WATER GENERAL PERMIT NVS040000.

4) AT A MINIMUM, THE CONTRACTOR OR HIS AGENT SHALL INSPECT ALL DISTURBED AREAS, AREAS USED FOR STORAGE OF MATERIALS AND EQUIPMENT THAT ARE EXPOSED TO PRECIPITATION, VEHICLE ENTRANCE AND EXIT LOCATIONS AND ALL BMP's WEEKLY, PRIOR TO A FORECASTED RAIN EVENT AND WITHIN 24 HOURS AFTER ANY ACTUAL RAIN EVENT. THE CONTRACTOR OR HIS AGENT SHALL UPDATE OR MODIFY THE STORMWATER POLLUTION PLAN AS NECESSARY. SOME EXCEPTIONS TO WEEKLY INSPECTIONS MAY APPLY, SUCH AS FROZEN GROUND CONDITIONS OR SUSPENSION OF LAND DISTURBANCE ACTIVITIES. REFER TO STORMWATER GENERAL PERMIT SMALL MS4 NVS040000.

5) ACCUMULATED SEDIMENT IN BMP's SHALL BE REMOVED AT REGULAR INTERVALS, WITHIN SEVEN DAYS AFTER A STORMWATER RUNOFF EVENT, AND PRIOR TO THE NEXT ANTICIPATED STORM EVENT. SEDIMENT MUST BE REMOVED WHEN BMP DESIGN CAPACITY HAS BEEN REDUCED BY 50 PERCENT OR MORE.

6) REFER TO CITY OF ELKO CONSTRUCTION SITE BEST MANAGEMENT PRACTICES HANDBOOK (PUBLISHED BY THE CITY OF ELKO, DATED DEC. 2015) FOR DETAILS OF ALL BMP'S SHOWN ON THIS PLAN.

7) THE BMP'S SHOWN ON THIS PLAN ARE SCHEMATIC ONLY. FINAL BMP SELECTION AND LOCATION SHALL BE DETERMINED BY THE SITE OPERATOR OR THE OWNER'S REPRESENTATIVE.

8) THE CONTRACTOR SHALL SUBMIT TO THE NEVADA DEPARTMENT OF ENVIRONMENTAL PROTECTION (NDEP) FOR STORM WATER DISCHARGE PERMIT. THE CONTRACTOR SHALL SIGN THE NOTICE OF INTENT FOR THE PROPOSED PROJECT.

9) ALL EROSION CONTROL MEASURES SHALL CONFORM TO THE GUIDELINES OUTLINED IN THE CITY OF ELKO CONSTRUCTION SITE BEST MANAGEMENT PRACTICE HANDBOOK 2005 EDITION. A COPY OF THIS MANUAL TO BE ON–SITE AT ALL TIMES.

10) ALL CONSTRUCTION SHALL CONFORM TO THE 2016 EDITION OF THE "STANDARD SPECIFICATION FOR PUBLIC WORKS CONSTRUCTION." CONTRACTOR TO KEEP A COPY OF THE SPECIFICATION ON THE JOB SITE AT ALL TIMES

EROSION CONTROL NOTES

1. ALL PUBLIC RIGHT OF WAYS LOCATED ADJACENT TO THE SITE (E.G. STREETS AND SIDEWALKS) MUST BE CLEANED DAILY OF ALL SEDIMENT OR WASTES THAT ORIGINATE FROM THE SITE.
2. BMPS IN ADDITION TO THOSE INDICATED IN THE STORM WATER POLLUTION PREVENTION PLAN (SWPPP) MAY BE REQUIRED IF THEY DO NOT MEET THE CITY OF ELKO PERFORMANCE STANDARDS.
3. TEMPORARY OR PERMANENT STABILIZATION MUST BE APPLIED NO LATER THAN 14 DAYS TO ALL DISTURBED SOILS, INCLUDING STOCKPILES, WHERE CONSTRUCTION ACTIVITY HAS CEASED.
4. ALL BMPS MUST BE INSPECTED WEEKLY, PRIOR TO FORECASTED RAIN EVENTS, AND WITHIN 24 HOURS AFTER ANY EVENT THAT CREATES RUNOFF AT THE SITE.
5. ACCUMULATED SEDIMENT MUST BE REMOVED FROM BMPS WHEN THE DESIGN CAPACITY HAS BEEN REDUCED BY 50 PERCENT OR MORE. SEDIMENT MUST ALSO BE REMOVED WITHIN SEVEN DAYS AFTER A RUNOFF EVENT OR PRIOR TO THE NEXT FORECASTED EVENT, WHICHEVER IS EARLIER.
6. ALL BEST MANAGEMENT PRACTICES (BMP'S) SHALL BE IN ACCORDANCE WITH THE "CITY OF ELKO CONSTRUCTION SITE BEST MANAGEMENT PRACTICES HANDBOOK", DATED DECEMBER 2005, AND AVAILABLE THROUGH THE CITY OF ELKO.
7. PRIOR TO THE START OF CONSTRUCTION, THE CONTRACTOR SHALL HAVE IN PLACE ALL NECESSARY BEST MANAGEMENT PRACTICES THAT SHALL BE USED TO MINIMIZE DUST, PREVENT EROSION, AND PREVENT POLLUTION LADEN RUNOFF FROM ENTERING THE ADJACENT STORM DRAIN FACILITIES. THE CONTRACTOR SHALL MAINTAIN, REPAIR, REPLACE, SUBSTITUTE, OR SUPPLEMENT BMP'S AT THE CONSTRUCTION SITE AS CONDITIONS WARRANT DURING CONSTRUCTION. BMP'S MAY INCLUDE, BUT NOT BE LIMITED TO, THE FOLLOWING BMP'S: (1) SILT FENCING OR STRAW WADDLES AT THE DOWNHILL LIMITS OF GRADING, (2) STABILIZED CONSTRUCTION SITE ENTRY/EXIT, (3) PERMANENT SLOPE REVEGETATION ON ALL DISTURBED AREAS, (4) INLET PROTECTION AT EXISTING CATCH BASINS, (5) STOCKPILE MANAGEMENT BMP'S, (6) DUST CONTROL BMP'S, (7) A CONCRETE WASHOUT AREA, AND (8) MEASURES TO PROTECT EXISTING NATIVE VEGETATION.

SIGNAGE & STRIPING NOTES

1. ALL SIGNAGE AND PAVEMENT MARKINGS SHALL COMPLY WITH STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, PROJECT SPECIFICATIONS, THESE PLANS, AND THE MOST CURRENT EDITION OF THE MANUAL FOR UNIFORM TRAFFIC CONTROL DEVICES (M.U.T.C.D.).
2. PARKING LOT STRIPING AND PAVEMENT MARKINGS SHALL BE INSTALLED AFTER APPLICATION AND CURING OF SLURRY SEAL. ASPHALT SURFACE SHALL BE CLEAN AND DRY PRIOR TO APPLICATION OF ANY PARKING LOT STRIPING, SYMBOLS, AND OTHER PAVEMENT MARKINGS.
3. CONTRACTOR SHALL VERIFY LOCATION OF EXISTING AND PROPOSED UTILITY LOCATIONS PRIOR TO INSTALLATION OF SIGNAGE.
4. SIGNAGE SHOWN ON THIS PLAN DOES NOT INCLUDE TRAFFIC CONTROL THAT MAY BE REQUIRED PRIOR TO AND DURING CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY TRAFFIC CONTROL THAT MAY BE REQUIRED DURING CONSTRUCTION.
5. ANY ADDITIONAL SIGNAGE AND STRIPING NEEDED SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR

SLOPE STABILIZATION

1) ALL DISTURBBED SLOPES STEEPER THAN 3:1 SHALL BE RIPRAPPED. RIPRAP SHALL BE RUN OF MINE OR UNSCREENED.

2) ALL SLOPES 3:1 OR LESS SHALL BE PLANTED AS FOLLOWS:

   a. HAND SPREAD ENTIRE SEEDED AREA.
   b. IRRIGATION IS TO MATCH THE AVAILABLE WATER HOLDING CAPACITY OF THE SOIL (AWC) FOR EACH SLOPE TAKING INTO ACCOUNT THE PLANT CONSUMPTIVE USE PLUS A FACTOR FOR IRRIGATION SYSTEM EFFICIENCY.
   c. PROVIDE TEMPORARY IRRIGATION UNTIL VEGETATION IS ESTABLISHED.

3) PROTECT EXISTING AND PROPOSED DRAINAGE INLETS DURING CONSTRUCTION IN ACCORDANCE WITH THE FOLLOWING DETAILS:

   a. STORMDRAIN INLET PROTECTION – (BMP DP–3)
   b. CATCH BASIN FILTERS (BMP– DP–4)

4) MAINTENANCE

   a. EXCLUDE FOOT TRAFFIC AS MUCH AS POSSIBLE DURING PLANT ESTABLISHMENT.
   b. AREAS THAT FAIL TO RESPOND OR BECOME DAMAGED SHOULD BE TREATED AGAIN USING SAME TREATMENT INITIALLY APPLIED

5) RECLAMATION SEED MIX (TOTAL 60 BULK POUNDS PER ACRE):

	SPECIES	BULK POUND PER ACRE
1.	BIG SAGEBRUSH	4.0
2.	RABBITBRUSH	4.0
3.	BITTERBRUSH	4.0
4.	INDIAN RICEGRASS	5.0
5.	GREAT BASIN WILDRYE	5.0
6.	COVER SHEEP FESCUE	10.0
7.	SODAR STREAMBANK WHEATGRASS	9.0
8.	ANNUAL RYEGRASS	15.0
9.	PURPLE SAGE (SALVIA DORII)	1.0
10.	FOUR WING SALTBRUSH	1.0

6) FERTILIZER
   16–16–8 — 400/ACRE

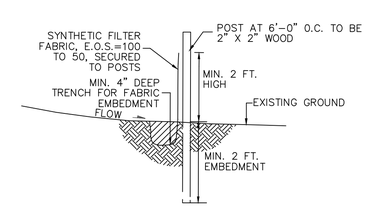
7) TOPSOIL AND VEGETATIVE STRIPPINGS SHALL BE STOCKPILED FOR REAPPLICATION TO ALL DISTURBED AREAS.

8) PLANTING MIX (A MIXTURE OF THE FOLLOWING COMPONENTS MEASURED BY VOLUME):

   a. 60% NATURAL SOIL
   b. 30% SOIL CONDITIONER / COMPOST
      10% AXIS SOIL CONDITIONER

LEGEND

- DP–3 AND DP–4 — STORM DRAIN INLET PROTECTION (DP–3 AND DP–4)
- GRAVEL OR SAND BAG BARRIERS (BMP SC–3)
- CWM — HANDLING AND DISPOSAL OF CONCRETE AND CEMENT (BMP GM–9)
- SWM — SOLID AND DEMOLITION WASTE MANAGEMENT (BMP GM–3)
- CONSTRUCTION SITE ENTRANCE & EXIT (BMP SC–8)
- RIPRAP MECHANICAL STABILIZATION (BMP EC–7)
- FIBER ROLLS (BMP SC–1), SILT FENCE (BMP SC–5), SYNTHETIC SEDIMENT CONTROL ROLLS (BMP SC–11)
- STREET SWEEPING (BMP GM–5)
- STORM DRAIN OUTLET PROTECTION (BMP DP–2)
- RVG — REVEGETATION (BMP EC–8)
- AC PAVEMENT AREA
- TYPE 2 BASE GRAVE 95% MDD
- 4900 — EXISTING CONTOUR LINE
- 4900 — PROPOSED CONTOUR LINE
- (BMP SC–4) — BMP'S OUTLINED IN THE CITY OF ELKO CONSTRUCTION SITE BEST MANAGEMENT PRACTICE (BMP) HANDBOOK 2005 EDITION



SILT FENCE

SUMMIT ENGINEERING CORPORATION™
1150 LAMOILLE HIGHWAY, ELKO, NV 89801
PHONE:(775) 738-8658 FAX:(775) 747-8559

May 3, 2021

REV.	DATE	DESCRIPTION	BY	APP'D

TENTATIVE MAP FOR CEDAR ESTATES SUBDIVISIION ~ PHASE 3

GENERAL NOTES SHEET

ELKO COUNTY, NEVADA

DESIGNED BY: C 3D

CHECKED BY: NIB

SCALE

HORIZ: 1"=40'

VERT: NONE

JOB NO: 81966

PROFESSIONAL ENGINEER – STATE OF NEVADA
NITIN I. BHAKTA
Exp. 12-31-22
CIVIL
No. 15494

SHEET N-1 OF 5

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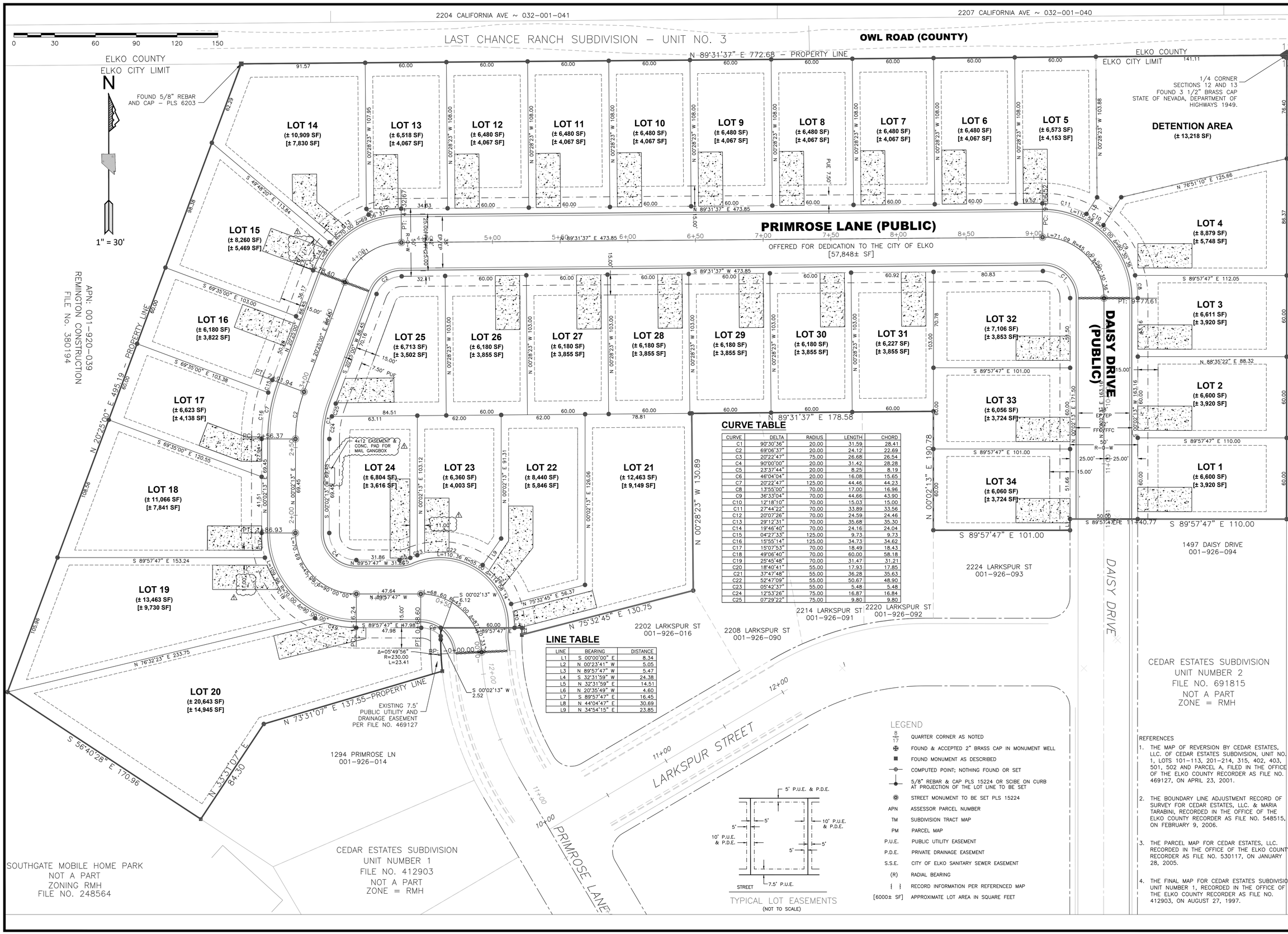

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	CHORD
C1	90°30'36"	20.00	31.59	28.41
C2	69°06'37"	20.00	24.12	22.69
C3	20°22'47"	75.00	26.68	26.54
C4	90°00'00"	20.00	31.42	28.28
C5	23°37'44"	20.00	8.25	8.19
C6	46°04'04"	20.00	16.08	15.65
C7	20°22'47"	125.00	44.46	44.23
C8	13°55'00"	70.00	17.00	16.96
C9	36°33'04"	70.00	44.66	43.90
C10	12°18'10"	70.00	15.03	15.00
C11	27°44'22"	70.00	33.89	33.56
C12	20°07'26"	70.00	24.59	24.46
C13	29°12'31"	70.00	35.68	35.30
C14	19°46'40"	70.00	24.16	24.04
C15	04°27'33"	125.00	9.73	9.73
C16	15°55'14"	125.00	34.73	34.62
C17	15°07'53"	70.00	18.49	18.43
C18	49°06'40"	70.00	60.00	58.18
C19	25°45'48"	70.00	31.47	31.21
C20	18°40'41"	55.00	17.93	17.85
C21	37°47'48"	55.00	36.28	35.63
C22	52°47'09"	55.00	50.67	48.90
C23	05°42'37"	55.00	5.48	5.48
C24	12°53'26"	75.00	16.87	16.84
C25	07°29'22"	75.00	9.80	9.80

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 00°00'00" E	8.34
L2	N 00°23'41" W	5.05
L3	N 89°57'47" W	5.47
L4	S 32°31'59" W	24.38
L5	N 32°31'59" E	14.51
L6	N 20°35'49" W	4.60
L7	S 89°57'47" E	16.45
L8	N 44°04'47" E	30.69
L9	N 34°54'15" E	23.85

LEGEND

5/8 / 1/4	QUARTER CORNER AS NOTED
	FOUND & ACCEPTED 2" BRASS CAP IN MONUMENT WELL
	FOUND MONUMENT AS DESCRIBED
	COMPUTED POINT; NOTHING FOUND OR SET
	5/8" REBAR & CAP PLS 15224 OR SCIBE ON CURB AT PROJECTION OF THE LOT LINE TO BE SET
	STREET MONUMENT TO BE SET PLS 15224
APN	ASSESSOR PARCEL NUMBER
TM	SUBDIVISION TRACT MAP
PM	PARCEL MAP
P.U.E.	PUBLIC UTILITY EASEMENT
P.D.E.	PRIVATE DRAINAGE EASEMENT
S.S.E.	CITY OF ELKO SANITARY SEWER EASEMENT
(R)	RADIAL BEARING
{ }	RECORD INFORMATION PER REFERENCED MAP
[6000± SF]	APPROXIMATE LOT AREA IN SQUARE FEET

REFERENCES

1. THE MAP OF REVERSION BY CEDAR ESTATES, LLC. OF CEDAR ESTATES SUBDIVISION, UNIT NO. 1, LOTS 101–113, 201–214, 315, 402, 403, 501, 502 AND PARCEL A, FILED IN THE OFFICE OF THE ELKO COUNTY RECORDER AS FILE NO. 469127, ON APRIL 23, 2001.
2. THE BOUNDARY LINE ADJUSTMENT RECORD OF SURVEY FOR CEDAR ESTATES, LLC. & MARIA TARABINI, RECORDED IN THE OFFICE OF THE ELKO COUNTY RECORDER AS FILE NO. 548515, ON FEBRUARY 9, 2006.
3. THE PARCEL MAP FOR CEDAR ESTATES, LLC. RECORDED IN THE OFFICE OF THE ELKO COUNTY RECORDER AS FILE NO. 530117, ON JANUARY 28, 2005.
4. THE FINAL MAP FOR CEDAR ESTATES SUBDIVISION UNIT NUMBER 1, RECORDED IN THE OFFICE OF THE ELKO COUNTY RECORDER AS FILE NO. 412903, ON AUGUST 27, 1997.

SUMMIT ENGINEERING CORPORATION™
1150 LAMOILLE HIGHWAY, ELKO, NV. 89801
PHONE:(775) 738-8658 FAX:(775) 747-8559

May 19, 2021

REV.	DATE	DESCRIPTION	BY	APP'D
1	5-28-21	CITY COMMENTS REVISIONS	NIB	NIB

TENTATIVE MAP FOR CEDAR ESTATES SUBDIVISIION ~ PHASE 3
SITE PLAN

ELKO COUNTY, NEVADA

DESIGNED BY: CIVIL 1
CHECKED BY: NIB
SCALE
HORIZ: 1"=40'
VERT: NONE
JOB NO: 81966

PROFESSIONAL ENGINEER - STATE OF NEVADA
NITIN I. BHAKTA
Exp. 12-31-22
CIVIL
No. 15494

SHEET S-1 OF 5

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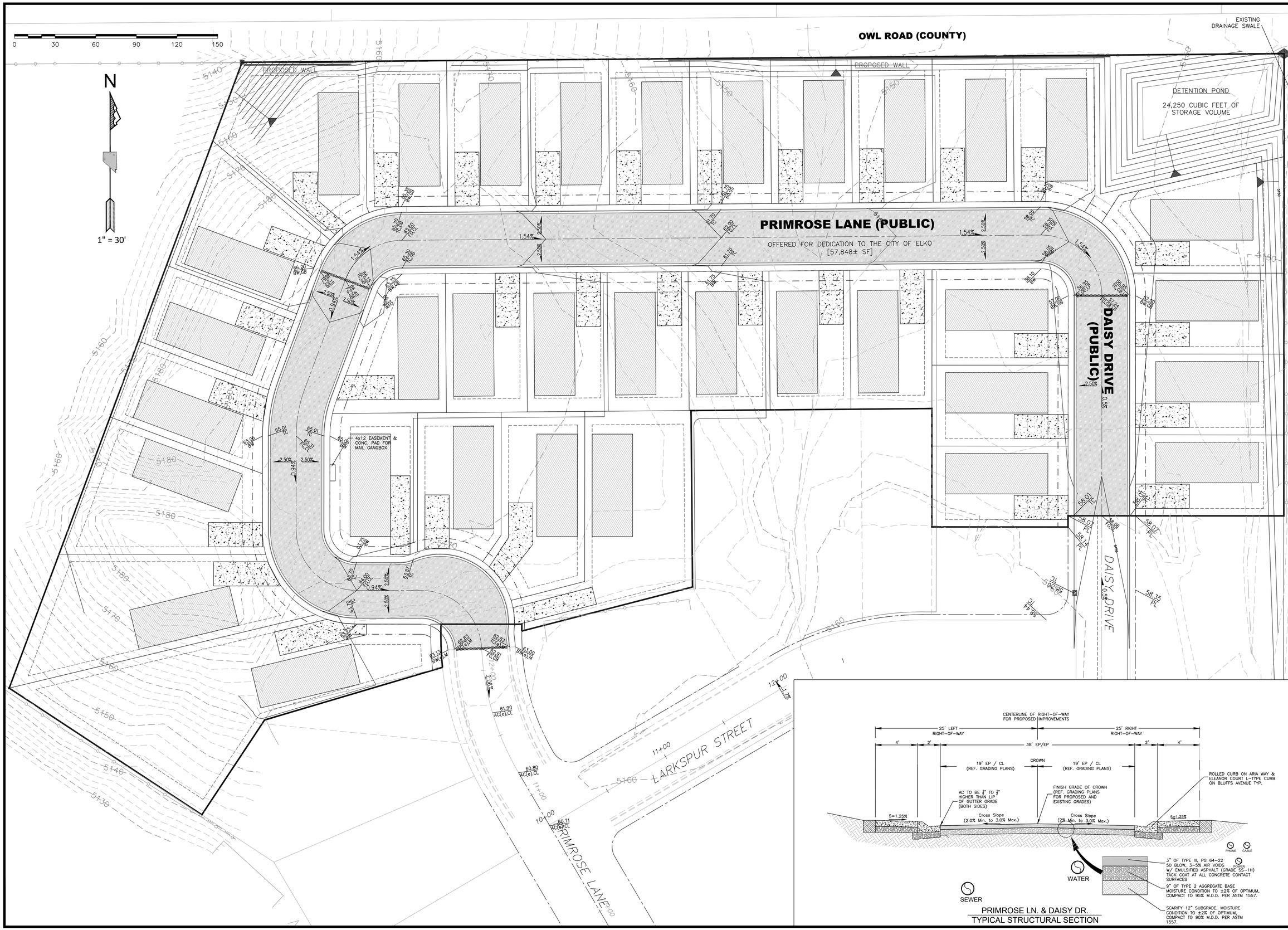

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PHONE:(775) 738-8658 FAX:(775) 747-8359

May 19, 2021

REV.	DATE	DESCRIPTION	BY	APP'D
1	5-28-21	CITY COMMENTS REVISIONS	NIB	NIB

TENTATIVE MAP FOR CEDAR ESTATES SUBDIVISIION ~ PHASE 3
GRADING PLAN

ELKO COUNTY, NEVADA

ELKO

DESIGNED BY: CIVIL
CHECKED BY: NIB
SCALE
HORIZ: 1"=40'
VERT: NONE
JOB NO: 81966

PROFESSIONAL ENGINEER - STATE OF NEVADA
NITIN I. BHAKTA
Exp. 12-31-22
CIVIL
Cert. No. 15494

SHEET G-1 OF 5

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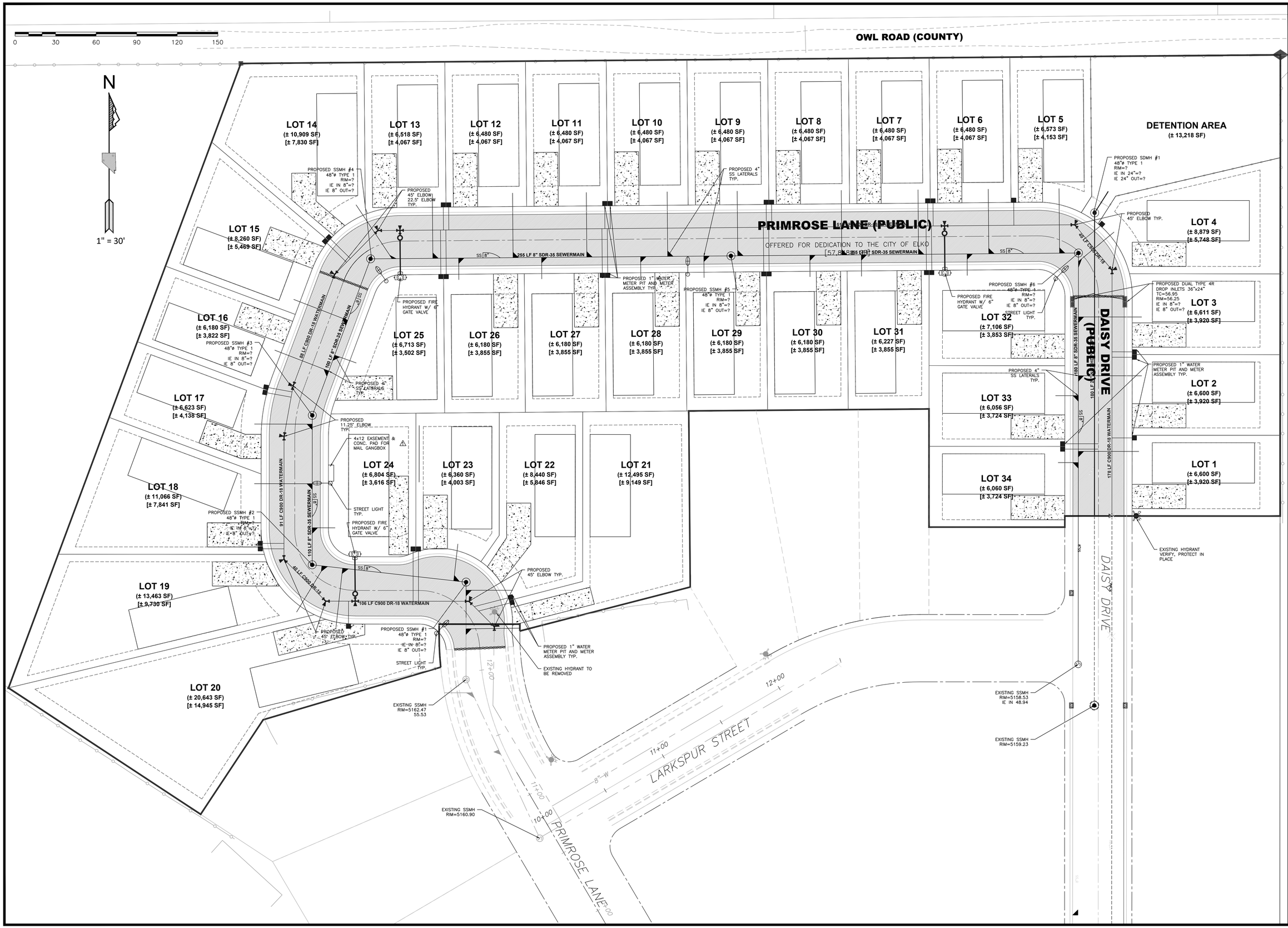

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PHONE:(775) 738-8658 FAX:(775) 747-8559

May 19, 2021

REV.	DATE	DESCRIPTION	BY	APP'D

TENTATIVE MAP FOR CEDAR ESTATES SUBDIVISIION ~ PHASE 3
UTILITY PLAN

ELKO COUNTY, NEVADA

DESIGNED BY: CIVIL
CHECKED BY: NIB

SCALE
HORIZ: 1"=40'
VERT: NONE

JOB NO: 81966

PROFESSIONAL ENGINEER - STATE OF NEVADA
NITIN I. BHAKTA
Exp. 12-31-22
CIVIL
No. 15494

SHEET U-1 OF 5

N:\Dwgs\81966_Cedar Estates_Bailey\CIVIL\81966_CEDAR CREEK ESTATES.dwg

EXHIBIT "A"
APN 001-926-111
LEGAL DESCRIPTION
SUPPORTING THE TENTATIVE MAP OF
CEDAR ESTATES SUBDIVISION UNIT No. 3

A parcel of land being the same as Remainder Parcel A of the Final Map of Cedar Estates Subdivision Unit No. 2 for Bailey & Associates, LLC., recorded October 30, 2014 as File No. 691815, Official Records, Elko County, Nevada, situate within the Northwest Quarter of Section 13, Township 34 North, Range 55 East, MDM, City of Elko, County of Elko, State of Nevada, being more particularly described as follows:

Beginning at the Northwest corner of said Remainder Parcel A from which the North Quarter corner of said Section 13 bears North 89°31'37" East a distance of 772.68 feet;
thence along the exterior boundary of said Remainder Parcel A North 89°31'37" East a distance of 631.42 feet;
thence South 00°28'23" East a distance of 103.88 feet;
thence South 32°31'59" West a distance of 16.30 feet;
thence from a tangent which bears South 63°37'03" East, along a circular curve to the right with a radius of 70.00 feet and a central angle of 12°18'05" an arc length of 15.03 feet;
thence with a non-tangent line North 32°31'59" East a distance of 25.94 feet;
thence North 76°51'10" East a distance of 125.66 feet;
thence South 00°02'13" West a distance of 266.39 feet;
thence North 89°57'47" West a distance of 110.00 feet;
thence North 89°57'47" West a distance of 50.00 feet;
thence South 00°02'13" West a distance of 8.34 feet;
thence North 89°57'47" West a distance of 101.00 feet;
thence North 00°02'13" East a distance of 87.78 feet;
thence South 89°31'37" West a distance of 178.58 feet;
thence South 00°28'23" East a distance of 130.89 feet;
thence South 75°32'45" West a distance of 130.75 feet;
thence North 00°02'13" East a distance of 5.06 feet;
thence North 89°57'47" West a distance of 60.00 feet;
thence South 00°02'13" West a distance of 8.64 feet;
thence along a tangent circular curve to the left with a radius of 230.00 feet and a central angle of 05°49'56" an arc length of 23.41 feet;
thence with a non-tangent line South 73°31'07" West a distance of 137.55 feet;
thence South 33°31'07" West a distance of 84.30 feet;
thence North 56°40'28" West a distance of 170.96 feet;
thence North 20°25'00" East a distance of 495.19 feet to the Point of Beginning.

Said parcel contains an area of approximately 7.31± acres.

Basis of Bearings: Identical to those shown on said Final Map of Cedar Estates Subdivision Unit No. 2 being the line between the NW corner and the N1/4 corner of said Section 13, taken as N 89°31'37" E as shown on the parcel map for HI-RITA Development, File No. 378610, said Official Records.

Description Prepared By:
Ryan G. Cook, PLS 15224
Summit Engineering Corporation
5405 Mae Anne Ave.
Reno, NV 89523
775-747-8550

PROFESSIONAL LAND SURVEYOR
RYAN G. COOK
EXPIRES 12/31/22
No. 15224
STATE OF NEVADA

5-19-2021

Elko City Planning Commission
Agenda Action Sheet

1. Title: **Review, consideration, and possible action on Conditional Use Permit No. 2-21, filed by Catherine Wines on behalf of Elko County and Great Basin Child Advocacy Center, which would allow for a new principal permitted use within the PQP, Public, Quasi Public zoning district, and matters related thereto. FOR POSSIBLE ACTION**

2. Meeting Date: **July 6, 2021**

3. Agenda Category: ***NEW BUSINESS, PUBLIC HEARINGS***

4. Time Required: **15 Minutes**

5. Background Information: **Any new use within the PQP, Public-Quasi, Public zoning district requires a Conditional Use Permit.**

6. Business Impact Statement: **Not Required**

7. Supplemental Agenda Information: **Application, Staff report**

8. Recommended Motion: **Conditionally approve Conditional Use Permit 2-21 based on the facts, findings and conditions as presented in Staff Report dated June 9, 2021**

9. Findings: **See Staff Report dated June 9, 2021.**

10. Prepared By: **Cathy Laughlin, City Planner**

11. Agenda Distribution: **Catherine Wines**
421 Railroad Street Ste 208
Elko, NV 89801
catherine@r6studio.com

Tyler Ingram
540 Court Street 2nd Floor
Elko, NV 89801
tingram@elkocountynv.net

STAFF COMMENT FLOW SHEET
PLANNING COMMISSION AGENDA DATE: 7/6

Do not use pencil or red pen, they do not reproduce

Title: Conditional Use Permit No. 2-21

Applicant(s): Catherine Wines, on behalf of Child Advocacy Center/Elko County

Site Location: 1401 College Ave - APN 001-200-002

Current Zoning: PQP Date Received: 5/13/21 Date Public Notice: 6/22/21

COMMENT: This is to allow for a new principal permitted use within the PQP Zoning District

****If additional space is needed please provide a separate memorandum****

Assistant City Manager: Date: 6/25/21

Recommend approval

SAW

Initial

City Manager: Date:_____

Initial

City of Elko
1751 College Avenue
Elko, NV 89801
(775) 777-7160
FAX (775) 777-7119

CITY OF ELKO STAFF REPORT

DATE:	**June 9, 2021**
PLANNING COMMISSION DATE:	**July 6, 2021**
APPLICATION NUMBER:	**Conditional Use Permit 2-21**
APPLICANT:	**Catherine Wines on behalf of Elko County and Great Basin Child Advocacy Center**
PROJECT DESCRIPTION:	**Great Basin Child Advocacy Center New Building**
RELATED APPLICATIONS:	**Variance 2-21**

A Conditional Use Permit for the establishment of a new principal permitted use within the PQP zoning district.

STAFF RECOMMENDATION:

RECOMMEND APPROVAL, subject to findings of facts, conditions as stated in this report.

PROJECT INFORMATION

PARCEL NUMBER: APN 001-200-002

PROPERTY SIZE: 1.314 acres

EXISTING ZONING: PQP –Public, Quasi, Public

MASTER PLAN DESIGNATION: Public

EXISTING LAND USE: Undeveloped with the exception of an accessory structure which remained after demolition of the Police Station.

NEIGHBORHOOD CHARACTERISTICS:

- The property is surrounded by developed land to the north, south, east and west, all currently zoned PQP, Public, Quasi-Public.

PROPERTY CHARACTERISTICS:

- The property is currently undeveloped
- The property is fairly flat with no sloping topography.
- The property is currently accessed from VFW Drive and Golf Course Road.
- The property has frontage along College Avenue, VFW Drive and Golf Course Road.
- The property is not in the flood zone.

APPLICABLE MASTER PLANS AND CITY CODE SECTIONS:

- City of Elko Master Plan-Land Use Component
- City of Elko Master Plan-Transportation Component
- City of Elko Redevelopment Plan
- City of Elko Wellhead Protection Plan
- City of Elko Code 3-2-3 General Provisions
- City of Elko Code 3-2-4 Establishment of Zoning Districts
- City of Elko Code 3-2-8 Public, Quasi-Public District
- City of Elko Code 3-2-17 Traffic, Access, Parking and Loading Regulations
- City of Elko Code 3-2-18 Conditional Use Permits
- City of Elko Code 3-8 Flood Plain Management

BACKGROUND INFORMATION

- The application for the Conditional Use Permit was filed as required under City Code 3-2-8 (D).

- The applicant has applied for a variance (VAR 2-21) for a reduction in the required off street parking.
- The property is not located in the Redevelopment Area.

MASTER PLAN

Land Use

1. The Master Plan Land Use Atlas shows the area as Public.
2. PQP- Public, Quasi-Public is listed as a corresponding zoning district for Public in the Master Plan Land Use.
3. Master Plan states that Public land use designation is applied to community and public and quasi-public uses such as those associated with government, non-profit, and utilities. Uses of land must comply with the Elko City Code, and must be compatible with, and not frustrate, the Master Plan's goals and policies.
4. Objective 3: Strengthen, preserve, and promote the area around the City Park, City Hall, and Convention Center as the civic heart of the community.
5. Objective 8: Ensure that new development does not negatively impact County-wide natural systems, or public/federal lands such as waterways, wetlands, drainages, floodplains etc., or pose a danger to human health and safety.

The conditional use permit is in conformance with the Master Plan Land Use Component

Transportation

1. The Master Plan identifies College Avenue as a minor arterial.
2. The Master Plan identifies VFW Drive as a Commercial/Industrial Collector.
3. The Master Plan identifies Golf Course as a Commercial/Industrial Collector.
4. The proposed site plan has pedestrian access along all frontages. Sidewalks are a necessary safety feature, particularly in park areas where children walk to and from.
5. There is no proposed vehicular access from College Avenue to the new building and the current access off VFW Drive and Golf Course Rd. will remain. It is a safer approach having the access not from the minor arterial.
6. The existing facility meets the goals listed in the Master Plan Transportation document as Best Practice Objective 1; Provide a balanced transportation system that accommodates vehicle, bicycles, and pedestrians, while being sensitive to, and supporting the adjacent land uses.
7. The City of Elko is currently the applicant of a vacation application 1-21 to vacate 7' of excess Golf Course Rd right-of-way to Elko County for the alignment of the new curb, gutter and sidewalk with the property to the northwest.

The conditional use permit is in conformance with the Master Plan Transportation Component and existing transportation infrastructure.

ELKO REDEVELOPMENT PLAN:

The property is not located within the redevelopment area and therefore the Redevelopment Plan was not taken into consideration for this application.

ELKO WELLHEAD PROTECTION PLAN

- The property is located in the 10-year capture zone for City wells. Development will be required to conform to the Elko Wellhead Protection Plan

SECTION 3-2-3 GENERAL PROVISIONS

- Section 3-2-3 (C) City code specifies use restrictions. The following use restrictions shall apply.
    1. Principal Uses: Only those uses and groups of uses specifically designated as "principal uses permitted' in zoning district regulations shall be permitted as principal uses; all other uses shall be prohibited as principal uses
    2. Conditional Uses: Certain specified uses designated as "conditional uses permitted" may be permitted as principal uses subject to special conditions of location, design, construction, operation and maintenance hereinafter specified in this chapter or imposed by the planning commission or city council.
    3. Accessory Uses: Uses normally accessory and incidental to permitted principal or conditional uses may be permitted as hereinafter specified.

Other uses may apply under certain conditions with application to the City.

1. Section 3-2-3(D) states that "No land may be used or structure erected where the land is held by the planning commission to be unsuitable for such use or structure by reason of flooding, concentrated runoff, inadequate drainage, adverse soil or rock formation, extreme topography, low bearing strength, erosion susceptibility, or any other features likely to be harmful to the health, safety and general welfare of the community. The planning commission, in applying the provisions of this section, shall state in writing the particular facts upon which its conclusions are based. The applicant shall have the right to present evidence contesting such determination to the city council if he or she so desires, whereupon the city council may affirm, modify or withdraw the determination of unsuitability."

The proposed development is required to have an approval as a conditional use to be in conformance with ECC 3-2-3 as required in ECC 3-2-8(D).

SECTION 3-2-4 ESTABLISHMENT OF ZONING DISTRICTS

1. Section 3-2-4(B) Required Conformity To District Regulations: The regulations set forth in this chapter for each zoning district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, except as provided in this subsection.
2. Section 3-2-4(B)(4) stipulates that no yard or lot existing on the effective date hereof shall be reduced in dimension or area below the minimum requirements set forth in this title.

The proposed development conforms with Section 3-2-4 Establishment of Zoning Districts

SECTION 3-2-8 PQP PUBLIC, QUASI-PUBLIC DISTRICT

1. The intent of the district is to accommodate public or quasi-public institutional uses.

2. Section 3-2-8(D) The establishment, expansion or change of any use, including principal permitted uses, shall be governed by the conditional use permit procedure, as set forth in section 3-2-18 of this chapter.

3. Section 3-2-8(C) The total ground floor area of all buildings shall not exceed thirty five percent (35%) of the net site area. Minimum setback from any street line is not less than one and one-half (1 ½) times the height of the principal building. Minimum setback from interior side and rear lot lines is not less than the height of the principal building, plus one additional foot for each five feet (5') or part thereof that such building exceeds thirty five feet (35') in the aggregate horizontal dimension of the wall generally parallel to such side or rear lot line. Building height shall conform with requirements contained within the city airport master plan.

4. Development of the property is required to be in conformance with City code and conditions for the CUP. It appears the property can be developed in conformance with the requirements stipulated in City code.

The proposed development conforms with Elko City Code 3-2-8 with the approval of this conditional use permit.

SECTION 3-2-17 TRAFFIC, ACCESS, PARKING AND LOADING REGULATIONS

1. Conformance with this section is required as the property is developed unless a parking waiver or variance is approved.
2. The applicant applied for a variance 2-21 for a reduction of the required off street parking based on the uniqueness of the use of the building and was approved by Planning Commission at their June 1, 2021 meeting.
3. The City of Elko has applied for a vacation of 7' of Golf Course Road right-of-way which would allow for the alignment of the curb, gutter and sidewalk to be with the developed parcel to the northwest. The submitted site plan shows the sidewalk aligned with the adjacent property with landscaping extending to the sidewalk. This would require a revocable permit to occupy the right-of-way but with the vacation of that right-of-way, it will not require the revocable permit. The vacation petition will be heard by City Council on June 22, 2021.

With the approval of variance 2-21, the conditional use permit is in conformance with Elko City Code 3-2-17.

SECTION 3-2-18 CONDITIONAL USE PERMITS

General Regulations:

1. Certain uses of land within designated zoning districts shall be permitted as principal uses only upon issuance of a conditional use permit. Subject to the requirements of this chapter, other applicable chapters, and where applicable to additional standards established by the Planning Commission, or the City Council, a conditional use permit for such uses may be issued.
2. Every conditional use permit issued, including a permit for a mobile home park, shall automatically lapse and be of no effect one (1) year from the date of its issue unless the permit holder is actively engaged in developing the specific property to the use for which the permit was issued.
3. Every conditional use permit issued 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.
4. Conditional use permits shall be reviewed from time to time by City personnel. Conditional use permits may be formally reviewed by the Planning Commission. In the event that any or all of the conditions of the permit or this chapter are not adhered to, the conditional use permit will be subject to revocation.

3-8 FLOOD PLAIN MANAGEMENT

1. The parcel is not located within a designated flood plain.

FINDINGS

1. The proposed development is in conformance with the Land Use Component of the Master Plan.
2. The proposed conditional use permit meets Objectives 3 & 8 of the Land Use Component of the Master Plan.
3. The proposed development is in conformance with the existing transportation infrastructure and the Transportation Component of the Master Plan.
4. The site is suitable for the proposed use.
5. The proposed development is in conformance with the City Wellhead Protection Program.
6. The proposed use is consistent with surrounding land uses.
7. The proposed use is in conformance with City Code 3-2-8 PQP, Public-Quasi, Public with the approval of the Condition Use Permit.
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.
9. The parcel is not located within a designated Special Flood Hazard Area.
10. With the approval of Variance 2-21, the property is in conformance with Elko City Code 3-2-17.

11. The proposed development is in conformance 3-2-3, 3-2-4, 3-2-18, and 3-8 of the Elko City Code.

STAFF RECOMMENDATION:

Staff recommends **APPROVAL** of CUP 2-21 with the following conditions:

1. The permit is granted to the applicant Elko County/ Great Basin Child Advocacy Center.

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. Approval of Vacation 1-21, vacating 7’ of Golf Course Road right-of-way for the development of public improvements aligned with other improvements to the northwest.

4. CUP 2-21 to be recorded with the Elko County Recorder within 90 days after the commencement of the construction of the new building.

CITY OF ELKO
Planning Department

Website: www.elkocity.com
Email: planning@elkocitynv.gov

1751 College Avenue · Elko, Nevada 89801 · (775) 777-7160 · Fax (775) 777-7219

June 29, 2021

Catherine Wines
421 Railroad Street Ste 208
Elko, NV 89801
Via Email: catherine@r6studio.com

Re: Conditional Use Permit No. 02-21

Dear Applicant/Agent:

Enclosed is a copy of the agenda for an upcoming Planning Commission meeting. Highlighted on the agenda is the item or items that you have requested to be acted on at the meeting. Also enclosed is pertinent information pertaining to your request. Please review this information before the meeting.

The Planning Commission requests that you, or a duly appointed representative, be in attendance at this meeting to address the Planning Commission. If you will not be able to attend the meeting but wish to have a representative present, please submit a letter to the Planning Commission authorizing this person to represent you at the meeting.

To participate in the virtual meeting on a computer, laptop, tablet, or smart phone go to: https://global.gotomeeting.com/join/114164549. You can also dial in using your phone at **+1 (224) 501-3412.** The **Access Code** for this meeting is **114-164-549.**

If you have any questions regarding this meeting, the information you received, or if you will not be able to attend this meeting, please call me at your earliest convenience at (775) 777-7160.

Sincerely,

Shelby Knopp

Shelby Knopp
Planning Technician

Enclosures

CC: Tyler Ingram, 540 Court Street 2nd Floor, Elko, NV 89801
Via Email: tingram@elkocountynv.net

Conditional Use Permit 2-21 CAC / Elko County

YPNO	PANAME	PMADD1	PMADD2	PMCTST	PZIP
001560001	ELKO CITY OF (PARKS) NOPC	C/O PARKS & REC DEPARTMENT	723 RAILROAD ST	ELKO NV	89801-3829
001250001	ELKO LODGE NO 15 OF MASONS		PO BOX 15	ELKO NV	89803-0015
001250002	GIRL SCOUTS OF THE SIERRA NEVAD		605 WASHINGTON ST	RENO NV	89503-4328
001202007	HOUCHIN, KENNETH W		875 14TH ST	ELKO NV	89801-3414
001203007	JACKSON, REN		1380 OAK ST	ELKO NV	89801-3434
001203006	MCBETH, TWYLA P ETAL		838 A ST	ELKO NV	89801-2905
001252002	NAYLOR, RORY ET AL		1376 COLLEGE AVE	ELKO NV	89801-3428
001200009	NEVADA HEALTH CENTERS INC		3325 RESEARCH WAY FL 2	CARSON CITY NV	89706-7913
001252003	PUCCINELLI, CAROL A ET AL		18233 W EL CAMINITO DR	WADDELL AZ	85355-7811
001202008	SHURTLIFF, RICHARD BRYANT TR ET		1385 OAK ST	ELKO NV	89803-1705
001202009	SMITH, AUSTIN LEELAND		1375 OAK ST	ELKO NV	89801-3433
001200001	VETERANS OF FOREIGN WARS OF THE		PO BOX 1266	ELKO NV	89803-1266
001203014	WEBB, WILLIAM Z		1375 COLLEGE AVE	ELKO NV	89801-3427
001203015	WINTERMOTE, KELLY		1387 COLLEGE AVE	ELKO NV	89801-3427

13

Post Marked 6/25/21

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Elko City Planning Commission will conduct a public hearing on Tuesday, July 6, 2021 beginning at 5:30 P.M. P.D.S.T. at Elko City Hall, 1751 College Avenue, Elko, Nevada, and that the public is invited to provide input and testimony on these matters under consideration in person, by writing, by representative, or via Gotomeeting.com. https://global.gotomeeting.com/join/114164549.

The public can view or participate in the virtual meeting on a computer, laptop, tablet or smart phone at https://global.gotomeeting.com/join/114164549. You can also dial in using your phone. **+1 (224) 501-3412.** Access Code: **114-164-549.** Comments can also be emailed to cityclerk@elkocitynv.gov.

The specific item to be considered under public hearing format is:

- **Conditional Use Permit No. 2-21, filed by Catherine Wines on behalf of Elko County and Great Basin Child Advocacy Center, which would allow for a new principal permitted use within the PQP, Public, Quasi Public zoning district, and matters related thereto. Any new use within the PQP, Public-Quasi, Public zoning district requires a Conditional Use Permit.**

Additional information concerning this item may be obtained by contacting the Elko City Planning Department at (775) 777-7160.

ELKO CITY PLANNING COMMISSION

CITY OF ELKO PLANNING DEPARTMENT

1751 College Avenue * Elko * Nevada * 89801

(775) 777-7160 phone * (775) 777-7219 fax

APPLICATION FOR CONDITIONAL USE PERMIT APPROVAL

APPLICANT(s): Catherine Wines for Great Basin Child Advocacy Center and Elko County
(Applicant must be the owner or lessee of the ***proposed*** structure or use.)
MAILING ADDRESS: 421 Railroad Street Elko, Nevada 89801
PHONE NO. (Home) **(Business)** 775-738-7928
NAME OF PROPERTY OWNER (If different): Elko County
(Property owner's consent in writing must be provided.)
MAILING ADDRESS: 571 Idaho Street
LEGAL DESCRIPTION AND LOCATION OF PROPERTY INVOLVED (Attach if necessary):
ASSESSOR'S PARCEL NO.: 001-200-002 **Address** 1401 College Ave Elko, Nevada
Lot(s), Block(s), &Subdivision TBD
Or Parcel(s) & File No. TBD

FILING REQUIREMENTS

Complete Application Form: In order to begin processing the application, an application form must be complete and signed. *Complete* applications are due at least 21 days prior to the next scheduled meeting of the Elko City Planning Commission (meetings are the 1st Tuesday of every month).

Fee: A $750.00 non-refundable fee.

Plot Plan: A plot plan provided by a properly licensed surveyor depicting the proposed conditional use permit site drawn to scale showing property lines, existing and proposed buildings, building setbacks, distances between buildings, parking and loading areas, driveways and other pertinent information that shows the use will be compliant with Elko City Code.

Elevation Plan: Elevation profiles including architectural finishes of all proposed structures or alterations in sufficient detail to explain the nature of the request.

Note: One .pdf of the entire application must be submitted as well as one set of legible, reproducible plans 8 ½" x 11" in size. If the applicant feels the Commission needs to see 24" x 36" plans, 10 sets of pre-folded plans must be submitted.

Other Information: The applicant is encouraged to submit other information and documentation to support this conditional use permit application.

RECEIVED

MAY 13 2021

1. Current zoning of the property: PQP

2. Cite the provision of the Zoning Ordinance for which the Conditional Use Permit is required:
Elko City code 3-2-18

3. Explain in detail the type and nature of the use proposed on the property:
The Great Basin Child Advocacy Center will provide services, care and advocacy for child victims of abuse.

4. Explain how the use relates with other properties and uses in the immediate area:
The area has many civic uses including the Elko City pool, Elko City Hall, the Elko Convention Center, the Northeastern Nevada Musem, the Veterans VFW Hall, Girl Scout House, the Masons Hall and the main city park. This building will be the same type of use, providing public, civic services.

5. Describe any unique features or characteristics, e.g. lot configuration, storm drainage, soil conditions, erosion susceptibility, or general topography, which may affect the use of the property:
There are no unusual circumstances on the site.

6. Describe the general suitability and adequacy of the property to accommodate the proposed use:
The property is perfectly suited for this building use.

7. Describe in detail the proposed development in terms of grading, excavation, terracing, drainage, etc.:

The site is generally flat with very little grade change. No significant excavation will be required.

8. Describe the amounts and type of traffic likely to be generated by the proposed use:

The building will not have a significant traffic load. The majority of the users are children who do not drive. All children will be served at the building on an appointment basis, so there will never be a large amount of people at the building at one time.

9. Describe the means and adequacy of off-street parking, loading and unloading provided on the property:

All parking provided will be off street.

10. Describe the type, dimensions and characteristics of any sign(s) being proposed:

There will be very small, insiginificant signage. No monumant signs are being proposed.
The building will strive to keep victim children annonymous and want no signage telling the public
What is happeinging in the buidling.

11. Identify any outside storage of goods, materials or equipment on the property:

No outdoor storage will be associated with this building. The VFW has an agreement to use an existing building on the sie.

12. Identify any accessory buildings or structures associated with the proposed use on the property:

The only new accessory structure will be a block trash enclosure.

(Use additional pages if necessary to address questions 3 through 12)

By My Signature below:

☒ I consent to having the City of Elko Staff enter on my property for the sole purpose of inspection of said property as part of this application process.

☐ I object to having the City of Elko Staff enter onto my property as a part of their review of this application. (Your objection will not affect the recommendation made by the staff or the final determination made by the City Planning Commission or the City Council.)

☒ I acknowledge that submission of this application does not imply approval of this request by the City Planning Department, the City Planning Commission and the City Council, nor does it in and of itself guarantee issuance of any other required permits and/or licenses.

☒ I acknowledge that this application may be tabled until a later meeting if either I or my designated representative or agent is not present at the meeting for which this application is scheduled.

☒ I have carefully read and completed all questions contained within this application to the best of my ability.

Applicant / Agent Catherine Wines
(Please print or type)

Mailing Address 421 Railroad Street
Street Address or P.O. Box

Elko, Nevada 89801
City, State, Zip Code

Phone Number: 775-738-7829

Email address: catherine@r6studio.com

SIGNATURE: _____

FOR OFFICE USE ONLY

File No.: 2-21 **Date Filed:** 5/12/21 **Fee Paid:** No Charge

Cathy Laughlin

From: Tyler Ingram <tingram@elkocountynv.net>
Sent: Monday, May 17, 2021 11:22 AM
To: Cathy Laughlin
Cc: Amanda Osborne
Subject: RE: Consent

Cathy,

Please accept this email as consent for Catherine Wines to apply for the Conditional Use Permit on behalf of Elko County. Our County Manager is copied on this email.

Thanks,

Tyler Ingram
Elko County District Attorney
540 Court St., 2nd Floor
Elko, NV 89801
P: 775-738-3101
F: 775-738-0160

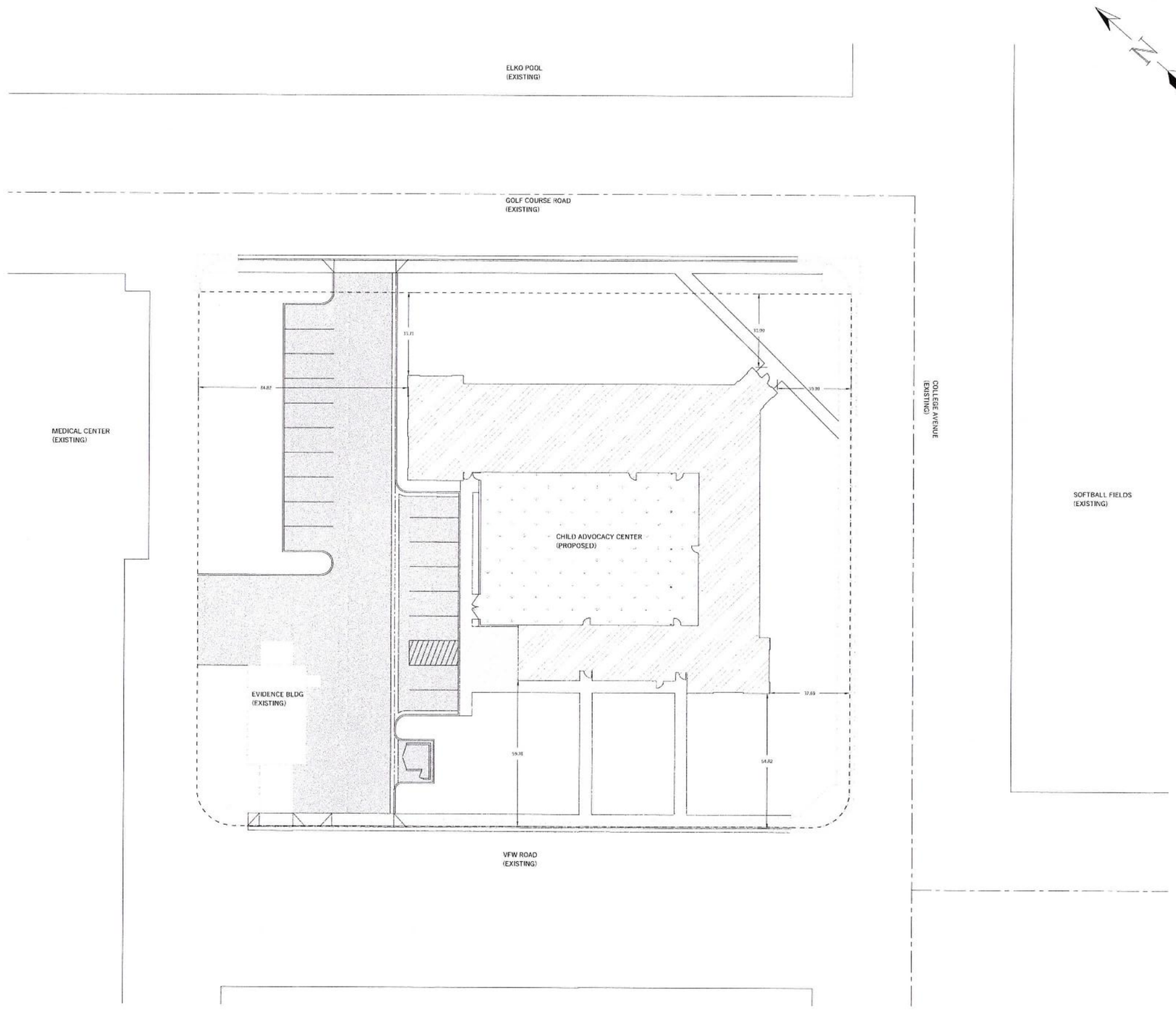
From: Cathy Laughlin [mailto:claughlin@elkocitynv.gov]
Sent: Monday, May 17, 2021 11:15 AM
To: Tyler Ingram <tingram@elkocountynv.net>
Subject: Consent

Tyler,
I received the consent for Catherine to apply for the variance on behalf of Elko County but I will also need one for the Conditional Use Permit.
Thanks,

Cathy Laughlin
City Planner

(775)777-7160 ph
(775)777-7219 fax
claughlin@elkocitynv.gov

City of Elko
1751 College Avenue
Elko, NV 89801



CONSULTANT

Black Dolphin Consulting, LLC
PO BOX 2561, ELKO, NV 89803
e.latin@blackdolphinnv.com
(775) 934-5114

PROJECT NAME

Great Basin Child Advocacy Center
1435 College Avenue
Elko, Nevada

SHEET NAME

PLOT PLAN

REVISIONS

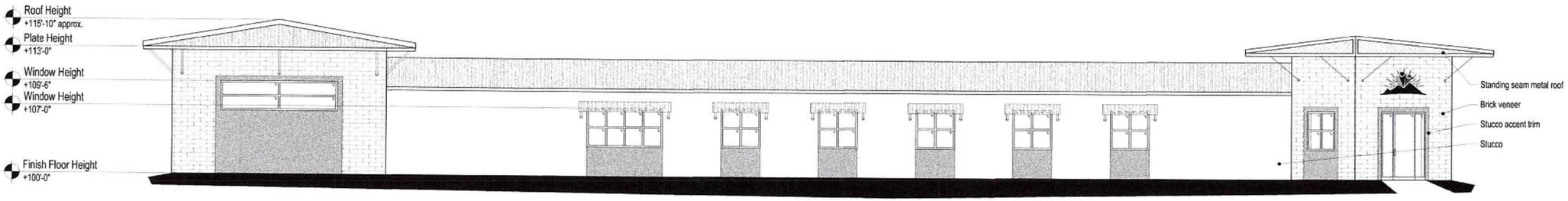
DATE

5.10.2021

SHEET NUMBER

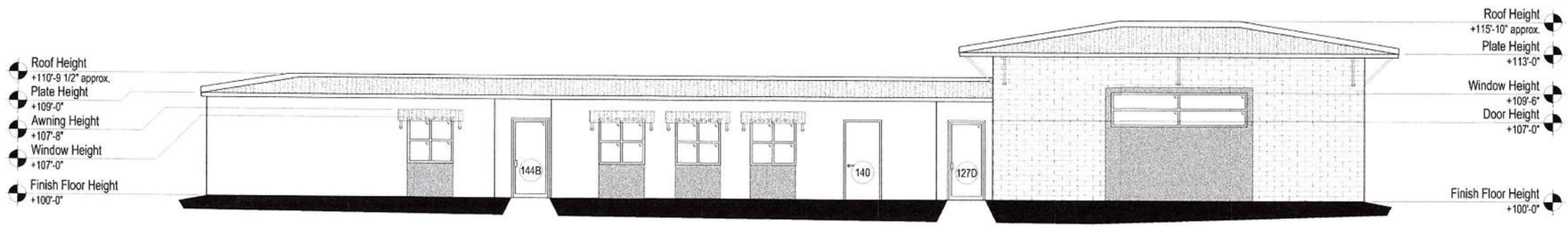
1

File number Child Advocacy_Grading Plan



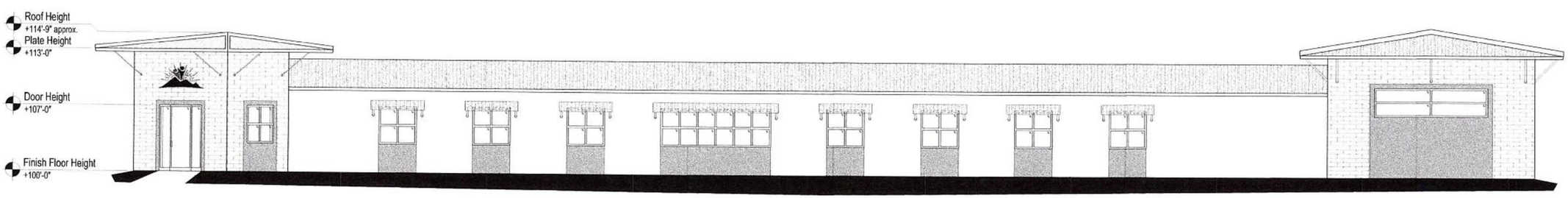
3 South (softball field side) Building Elevation

Scale: 3/16" = 1'-0" - Do Not Scale Drawings



2 West (VFW side) Building Elevation

Scale: 3/16" = 1'-0" - Do Not Scale Drawings



1 East (swimming pool side) Building Elevation

Scale: 3/16" = 1'-0" - Do Not Scale Drawings

R6STUDIO
CATHERINE WINES, ARCHITECT
421 RAILROAD STREET STE 208
ELKO, NEVADA 89801
p775.738.7829 f775.738.7817
www.R6STUDIO.com

PRELIMINARY NOT FOR CONSTRUCTION

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PROJECT NAME

Great Basin Child Advocacy Center
1435 College Avenue
Elko, Nevada

SHEET NAME

Building Elevations

REVISIONS

DATE

4.14.2021

SHEET NUMBER

a3.1

File number 21-004 - CAC, Elko City

Elko City Planning Commission
Agenda Action Sheet

1. **Review, consideration and possible action of Variance No 3-21, filed by DAG LLC. on behalf of Sonora LLC, for an increase in the number of allowed freestanding signs per street frontage and increase maximum area of a freestanding sign, and matters related thereto, FOR POSSIBLE ACTION**

2. Meeting Date: **July 6, 2021**

3. Agenda Category: ***PUBLIC HEARINGS***

4. Time Required: **15 Minutes**

5. Background Information: **The applicant is requesting a variance for more than one freestanding sign per street frontage and for an increase in the area of the allowed signage.**

6. Business Impact Statement: **Not Required**

7. Supplemental Agenda Information: **Application, Staff Reports**

8. Recommended Motion: **Deny Variance No. 3-21 based on findings of fact as stated in Staff report dated June 24, 2021.**

9. Findings: **See staff report dated June 24, 2021**

10. Prepared By: **Cathy Laughlin, City Planner**

11. Agenda Distribution: **DAG LLC.**
P.O. Box 505
Elko, NV 89803
agonzalez@dagnv.com

STAFF COMMENT FLOW SHEET
PLANNING COMMISSION AGENDA DATE: 7/6

Do not use pencil or red pen, they do not reproduce

Title: Variance No. 3-21

Applicant(s): DAG, LLC on behalf of Sonora, LLC

Site Location: 397 5th Street - APN 001-265-006

Current Zoning: C Date Received: 6/15/21 Date Public Notice: 6/22/21

COMMENT: This is to allow for an increase in the number of allowed freestanding signs per street frontage and increase maximum area of a freestanding sign

****If additional space is needed please provide a separate memorandum****

Assistant City Manager: Date: 6/25/21

Recommend denial of the variance based on the facts & findings presented by staff. Additionally, there is a remainder wall from a demolition project that may or may not present a hazard to persons using the property. This item SHOULD be tabled until this issue is Resolved.

Initial

City Manager: Date:

Initial

City of Elko
1751 College Avenue
Elko, NV 89801
(775) 777-7160
FAX (775) 777-7119

CITY OF ELKO STAFF REPORT

REPORT DATE: June 24, 2021
PLANNING COMMISSION DATE: July 6, 2021
APPLICATION NUMBER: Variance 3-21
APPLICANT: DAG LLC. on behalf of Sonora LLC
PROJECT DESCRIPTION: APN 001-265-006

A variance request from provisions under Elko City Code 3-9 Sign Regulations for multiple off premise signs to be located on one parcel.

STAFF RECOMMENDATION:

RECOMMEND DENIAL, subject to findings of fact as stated in this report.

PROJECT INFORMATION

PARCEL NUMBER: 001-265-006

PARCEL SIZE: 3,560 square feet

EXISTING ZONING: (C) General Commercial

MASTER PLAN DESIGNATION: (MU-DTWN) Mixed Use Downtown

EXISTING LAND USE: Currently undeveloped

BACKGROUND:

1. The property owner is Sonora LLC. They have provided the applicant permission to apply for the variance as part of their due diligence on purchasing the property.
2. The property was previously developed and demolished a few years ago.
3. Both Idaho Street and 5th Street are under NDOT jurisdiction.
4. Sign area allowance is determined by the lineal footage of the building parallel to the adjacent street frontage. The building orientation is such that the short side of the building is parallel with the longer length of property line adjacent to Idaho Street.

NEIGHBORHOOD CHARACTERISTICS:

The property is surrounded by:

- North, South, East and West: (C) General Commercial / Developed

PROPERTY CHARACTERISTICS:

- The property is currently for sale.
- The property is generally flat.
- The property is located at the intersection of Idaho Street and 5th Street, both under NDOT jurisdiction.

APPLICABLE MASTER PLAN AND CITY CODE SECTIONS:

- City of Elko Master Plan – Land Use Component
- City of Elko Redevelopment Plan
- City of Elko Zoning – Section 3-2-10 Commercial District
- City of Elko Zoning – Section 3-2-22 Variances
- City of Elko Zoning – Section 3-9 Sign Regulations

MASTER PLAN

Land Use

1. The Master Plan Land Use Atlas shows the area as Mixed Use Downtown.
2. C- General Commercial zoning district is listed as a corresponding zoning district for Mixed Use Downtown.
3. Objective 6: Encourage multiple scales of commercial development to serve the needs of the region, the community, and individual neighborhoods.

4. Objective 8: Encourage new development that does not negatively impact County-wide natural systems, or public/federal lands such as waterways, wetlands, drainages, floodplains etc., or pose a danger to human health and safety.

Transportation

1. The Master Plan identifies both Idaho Street and 5th Street as Major Arterials.
2. The site has pedestrian access along both frontages.
3. Best Practice Objective 1; Provide a balanced transportation system that accommodates vehicle, bicycles, and pedestrians, while being sensitive to, and supporting the adjacent land uses.

The proposed variance is in conformance with the Land Use and Transportation Component of the Master Plan.

CITY OF ELKO REDEVELOPMENT PLAN

The property is located within the Redevelopment Area and more specifically the Central Business District.

Redevelopment Plan – Preliminary Plan state this in regards to signage:

> Signing – Sensitive signing can play a significant role in Elko's downtown revitalization. It can communicate a sense of community identity and help unify the city center. Signs also play a role in creating the overall visual character of the business district, enhancing the traveled way for both pedestrians and motorists.
>
> Signs should function to promote individual businesses, enhance their identity, and contribute to the public's perception of each business. Professional office, service and retail businesses, for example, should establish their own identities separate from hotels, motels and gaming establishments. Good signing expresses a simple, clean message. Flat fixed signs or individual raised letters should be positioned in logical places, on or above storefronts, and may be complemented by small, pedestrian oriented hanging signs. Adequate signing should be visible to the motorist without overwhelming the pedestrian. Attractive window lettering or window graphics can identify and add character to window displays. Signing can also be effectively located on store awnings.
>
> Existing signs in downtown Elko have become a prominent and at times an intrusive architectural feature, with the majority being auto-oriented and illuminated. Competition for space and vistas has seen a proliferation of larger signs competing with one another, creating an impression of visual clutter and visual domination of the streetscape.
>
> Also, numerous billboards or off-premise signs have been constructed within the downtown. Typically, these signs advertise products and services outside of the downtown and community and detract from the desired visual image for the downtown.

Elko Redevelopment Vision Plan states the following for Commercial Signs:

a. Sign materials and colors must be complementary to the materials, colors and architecture of the related structure.

b. Signs must be large enough to be visible and read with ease, yet not dominate the structure or streetscape by an overly large scale.

c. A variety of shapes, sizes, and materials are possible for most signs; these must be selected to complement the architecture and color scheme of the building/development.

d. Fully backlit signs are not recommended. Individual backlit or neon letters, or front- or side-lit signs are preferred. Lighting fixtures for signs must be consistent with the architecture and lighting scheme for the building/ development.

e. Signage or wording is not encouraged on the sloped part of awnings. Simple lettering may be used on the hanging valence part of awnings.

f. Sign materials should be of high quality, durable materials that will maintain their beauty and appearance for many years. Consider the use of materials such as bronze, brass and copper, that patina naturally with age.

The proposed variance is not in conformance with the Redevelopment Plan.

<u>SECTION 3-2-10 COMMERCIAL DISTRICTS</u>

1. The proposed use complies with the principal permitted uses allowed within the Commercial zoning district.
2. Height Restrictions: All structures within the C general commercial zoning district must comply with the height restrictions of the current city airport master plan, to the extent the plan applies to that location.
    - The proposed wall is shown at 25’ tall and meets the height restrictions for the City of Elko Airport Master Plan.
3. City code doesn’t state a minimum or maximum lot size, lot coverage or setback requirements for development standards.
4. Development of the property is required to be in conformance with City code.

The proposed use is in conformance with the development standards of Elko City Code 3-2-10.

<u>SECTION 3-2-22 VARIANCES:</u>

B. Procedure: Any person requesting a variance by the planning commission shall include:

<u>Application Requirements:</u> Each such application shall be signed by the owner of the land and/or buildings affected by, or by his acknowledged agent. In order for the planning commission to grant a variance, adequate evidence demonstrating conformance to the following criteria shall be presented by the applicant:

1. There are special circumstances or features, i.e., unusual shape, configuration, exceptional topographic conditions or other extraordinary situations or conditions applying to the property under consideration.

    - Applicant states: There are no special circumstances associated with the lot. It meets our specific business model. Nor does the lot have any other extraordinary situations or conditions that would prevent us from putting up signage and a walk up restaurant.
    - Staff comments: The applicant clearly stated that there are NO special circumstances or features related to the site so this requirement has not been met and therefore cannot be in support of a variance approval.

2. The special circumstance or extraordinary situation or condition results in exceptional practical difficulties or exceptional undue hardships, and where the strict application of the provision or requirement constitutes an abridgment of property right and deprives the property owner of reasonable use of property.

    - Applicant states: No Practical difficulty or undue hardship will deprive the property owner of reasonable use of the property will result if no variances are granted. Granting the variance allows the business owners to bring their business plan to fruition. The business model does not pass chapter 9 sign regulation code. Specifically, Clutter, Light Pollution, Height Requirement, and Impeding Flow of Traffic. Reasonable use provisions depend on the variance being granted. If no variances are granted, the property owners will not be entitled nor incentivized to buy or build on the property.
    - Staff comments: The applicant has stated that there is no practical difficulty or undue hardship depriving the applicant of reasonable use of the property. They also state that the plan doesn't comply with ECC 3-9 specifically clutter, light pollution, and impeding flow of traffic. The applicant clearly stated reasons why this variance should not be approved.

3. Such special circumstances or conditions do not apply generally to other properties in the same zoning district.

    - Applicant states: The business model does not pass chapter 9 sign regulation code. No other property is permitted to build our business because it does not pass the code. A variance must be granted to build the business plan. This is a commercial property, we are attempting to put commercial advertising.
    - Staff comments: The applicant has stated that there were no special circumstances or conditions.

4. The granting of the variance will not result in material damage or prejudice to other properties in the vicinity, nor be detrimental to the public interest, health, safety and general welfare.

    - Applicant states: The signage mounts and installation will be constructed with all provision of the international building code. Additionally, vendors must prove

without a reasonable doubt that their technology can endure the Northern Nevada climate. Signage will be well equipped with dimmable sensors, they will be brighter during the day and dimmer during the night. The advertising displayed will not be risqué and vulgar in nature. Advertising will be tasteful but attractive to capture the advertiser's message. Bollards will be aligned throughout the perimeter to make sure that the lots assets and pedestrians will feel safe of a possible errant vehicles.

- Staff comments: We do feel that the multiple signs all flashing different messages at the same time could be detrimental to the public safety. With both streets classified as major arterials, the safety of this intersection is of the utmost concern.

5. The granting of the variance will not substantially impair the intent or purpose of the zoning ordinance or effect a change of land use or zoning classification.

- Applicant states: We will comply with all construction stresses set forth by the international building code. Empty lot will go through a beautification remodel. It enhances every business potential by advertising their business in the busiest intersection of Elko County. It will bring curb appeal to the downtown corridor. Empty lot will go through a physical beautification and plaza has four subliminal dedications to Elko, Elko County, and Nevada. The pedestrian signage will not exceed 7ft from the ground to the top. The digital billboards will be over 25ft from the top of the sign to the ground. No signs will be in the visible eyeline of the 5th street and Idaho street intersection traffic control devices. All signs will be from only one vendor. The three wall digital billboards will be the same size. The five walk up freestanding signs will be the same size. The business plan is a Commercial Plaza. It is not a housing, industrial, or recreational classification.
- Staff comments: Staff feels that the proposed signs substantially impair the intent of the sign code, specifically items C, D, & E. The variance will have no effect on a change in the land use or zoning classification.

6. The granting of the variance will not substantially impair affected natural resources.

- Applicant states: It's a dirt lot and we are going to be as minimally evasive as possible based on the recommendations of our architect and construction company. Walls erected will be of sound structure following building code.
- Staff comments: We believe that granting of the variance will not impair affected natural resources.

<u>All</u> six of the above items need to be met in order to grant a variance. The variance request based on the information provided in the application does not conform to Section 3-2-22 of Elko City Code.

<u>SECTION 3-9 SIGN REGULATIONS:</u>

1. It is the intent of this chapter to promote and protect the health, safety and welfare of the citizens of the city by establishing standards to ensure the placement of safe, effective

signage throughout the city. Specific regulations and standards are intended to address the following:

A. To ensure that signs erected within the city are constructed of safe, durable materials and secured in a manner adequate to withstand physical stresses.
B. To protect and enhance property values and create an attractive economic and business climate.
C. To protect and enhance the physical beauty and appearance of the community.
D. To reduce sign or advertising distractions and obstructions that may adversely affect or conflict with traffic control signs, signals and other traffic control devices.
E. To reduce visual clutter along streets and roadways thus providing each sign user an opportunity for effective identification and advertising by addressing the quantity, height and area of freestanding signs on all sites.

2. Each property, lot or parcel of record within any commercial or industrial zoning district of the city is permitted the following:

- *One freestanding sign on each street frontage, except that a gasoline service station may have one additional trade name or pricing sign if the premises has only one street frontage and except that an automotive dealership may have one sign for each new car dealership. Frontage along a freeway or interstate highway is not considered street frontage.*
- *Off premise signs shall observe a minimum separation distance of six hundred feet (600').*

The applicant is proposing three freestanding signs along Idaho Street with a separation of fifteen feet (15') and two along 5th street with a separation of thirteen feet (13').

3. Sign Height:
   - *The maximum height of a freestanding sign shall be twenty five feet (25') if located on property abutting a street right of way having a twenty five (25) mile per hour or less speed limit.*

The proposed signs all comply with the maximum height requirement.

4. Sign Area:

   - *The maximum area of a freestanding sign shall be two (2) square feet of sign area for every one linear foot of building frontage facing the adjacent street.*

The applicant is proposing each sign along Idaho Street be twenty eight square feet for a cumulative total of eighty four square feet. The building lineal footage along Idaho Street is twenty feet which would allow a freestanding sign to be a maximum of forty square feet. The applicant is proposing two signs along 5th Street for a total of fifty six square feet and fifty square feet would be allowed.

The proposed signs are not in conformance with Elko City Code 3-9.

FINDINGS

1. The proposed use is in conformance with the Land Use Component of the Master Plan as well as the Transportation Component of the Master Plan.

2. The property is located within the redevelopment area and is not in conformance with the Redevelopment Plan.

3. The proposed use is in conformance with the development standards of Elko City Code 3-2-10.

4. In accordance with Section 3-2-22, the applicant has not demonstrated any special circumstances or features regarding the parcel.

5. In accordance with Section 3-2-22, the applicant has not demonstrated that there is practical difficulties or exceptional undue hardships, which constitutes an abridgment of property right and deprives the property owner of reasonable use of property.

6. Granting of the variance will result in material damage or prejudice to other properties in the vicinity.

7. Granting of the variance will substantially impair the intent or purpose of the zoning ordinance.

8. Granting of the variance will not impair natural resources.

9. The proposed signs are not in conformance with Elko City Code 3-9.

STAFF RECOMMENDATION:

Staff recommends this item be **Denied** based on the findings of fact.

City of Elko Development Department
1751 College Avenue
Elko, NV 89801
(775) 777-7210
FAX (775) 777-7219

Memorandum

To: Planning Commission
From: Michele Rambo, AICP – Development Manager
RE: Variance 3-21
Date: June 16, 2021

RECOMMENDATION: ***DENIAL***

Section 3-2-22(C) states that "in order for the Planning Commission to grant a variance, adequate evidence demonstrating conformance to the following criteria shall be presented by the applicant:

1. There are special circumstances or features, i.e., unusual shape, configuration, exceptional topographic conditions, or other extraordinary situations or conditions applying to the property under consideration.
2. The special circumstance or extraordinary situation or condition results in exceptional practical difficulties or exceptional undue hardships, and where the strict application of the provision or requirement constitutes an abridgment of property right and deprives the property owner of reasonable use of property.
3. Such special circumstances or conditions do not apply generally to other properties in the same zoning district.
4. The granting of the variance will not result in material damage or prejudice to other properties in the vicinity, nor detrimental to the public interest, health, safety, and general welfare.
5. The granting of the variance will not substantially impair the intent or purpose of the zoning ordinance or effect a change of land use or zoning classification.
6. The granting of the variance will not substantially impair affected natural resources."

Section 3-9-11 further states that the Planning Commission "upon just cause", may modify any provision contained in the sign regulations under the variance procedures contained within Section 3-2-22, which includes the mandatory findings listed above.

A detailed discussion of all six required findings follows.

1. <u>Special Circumstances or Features:</u>

As described in Finding #1, a special circumstance or feature includes UNUSUAL shape, size, or topographic features or other extraordinary conditions. In analyzing a property to determine if there is one or more of these hardships, several factors are looked at such as minimum lot size, minimum lot dimensions, the shape of the lot, etc.

The Commercial zoning district does not include minimum lot standards to compare the subject property against. In this case, you can compare the size of the lot with the lots in the surrounding area to determine if the subject lot is smaller the average. An analysis of the surrounding block shows that the property lot size of 3,661 square feet is larger than the average lot size on that block of 3,013 square feet. The subject lot is also a normal rectangular shape similar to other lots in the surrounding area. Therefore, there are no unusual circumstances related to size or shape.

Another feature that may allow for a variance approval is topography. Lots with unusual slope or large grade changes would qualify as an unusual topographic feature. However, as seen in the photo below, the subject lot is flat and, therefore, has no unusual topographic features.

In addition to this analysis done by staff, the application provided by the applicant states "there are no special circumstances associated with the lot" and the property does not "have any other extraordinary situations or conditions".

Can this finding be met: NO

2. <u>Difficulties and Hardships:</u>

This finding builds off of Finding #1 by determining if the unusual circumstances found prevent the property owner from using the property. Because there are no unusual circumstances (as discussed above), there can be no denial of property rights which would prevent the reasonable use of the property. The applicant acknowledges this in the application by stating that "no practical difficulty or undue hardship will deprive the property owners of reasonable use".

Can this finding be met: NO

3. <u>Comparison to Other Properties</u>

Like Finding #2, this finding builds off any identified special circumstances identified in Finding #1. Because there are no identified special circumstances, as acknowledged by the property owner in the application materials, there is nothing to compare to other properties within the same zoning district. All properties within the area surrounding this site are flat and compliant with required development standards.

Can this finding be met: NO

4. <u>No Damage to Other Properties or Public Safety</u>

This finding is to determine if the granting of the requested variance will create a hardship for surrounding properties or negatively impact the health, safety, or welfare of the public. An argument could be made that eight (8) large, flashing reader board signs would create an issue with light and glare through the windows of neighboring businesses, especially after sunset. This could impede some ability to conduct normal business, but since there are solutions (window blinds, shades, etc.) the negative impact can be controlled.

A more important issue with having eight (8) large, flashing reader boards at one of the busiest intersections in town is the safety of both residents and visitors. The intersection of Idaho and 5th Street already sees a large amount of traffic collisions. Adding the distraction of multiple eye-catching display boards will only increase the potential for these collisions and endanger drivers and pedestrians utilizing this intersection.

A recent study (https://www.sciencedirect.com/science/article/pii/S0965856418310632) found that driver inattention and distraction are the biggest risks to traffic safety worldwide. In addition, "there is an emerging trend in the literature suggesting that roadside advertising can increase crash risk, particularly for those signs that have the capacity to frequently change…". Therefore, the evidence suggests that the granting of this variance will negatively impact the health, safety, and/or welfare of the public.

Can this finding be met: NO

5. <u>Impair the Intent of the Zoning Ordinance</u>

Section 3-9-3 of the City Code discusses the intent of the sign ordinance. Among other items, the sign ordinance is intended to reduce visual clutter, enhance the appearance of the community, and reduce distractions that may adversely affect traffic.

Visual clutter occurs when there are more signs than necessary to convey basic information. In general, this includes both business signs and traffic signs. To implement the intent to reduce visual clutter, the sign ordinance limits the number of signs allowed per property to one per street frontage (with a few stated exceptions not applicable to this parcel). The requirement to reduce visual clutter leads to another intent: enhance the appearance of the community. While appearance is subjective and varies from one person to the next, the general rule is that fewer signs equals a better appearance. The proposal to install eight (8) signs on one parcel substantially conflicts with these two intentions of the sign ordinance.

The other intent relevant to the proposed variance application is that of reducing distractions that may adversely affect traffic. This issue was discussed in Number 4 above in relation to impacts on public health, safety, and welfare. The addition of the proposed signage will create a significant distraction that may adversely affect traffic and pedestrians alike.

Can this finding be met: NO

6. <u>Impair Natural Resources:</u>
There are no natural resources occupying or using this site. Therefore, there will be no impairment to any natural resources.

Can this finding be met: YES

<u>CONCLUSION</u>
The application states that without the proposed variance, "the property owners will not be incentivized to buy or build on the property". Unfortunately, financial viability is not a legal finding to approve a variance. In fact, the Nevada Planning Guide instructs that variances cannot be granted "to permit uses in zoning districts in which a use is not allowed, vary minimum spacing requirements, or relieve hardships that are solely personal, self-created, or financial in nature".

City Code Section 3-2-22(C) requires that the Planning Commission determine that all six required findings be met in order to approve any variance application. At this time, the Development Department can only find justification to meet one of the six required findings. Therefore, the Development Department is recommending denial of the proposed variance.

ELKO POLICE DEPARTMENT

Ty Trouten
Police Chief

1448 Silver Street
Elko, Nevada 89801
775.777.7310
775.738.1415 Fax
www.elkocity.com

June 28, 2021

TO: Elko City Planning Commission
FROM: Police Chief Ty Trouten
SUBJECT: Variance Opposition

I would like to express some safety concerns with respect to the requested variance for the 5th and Idaho vacant lot and proposed reader boards on that lot.

My first concern is the safety factor. The intersection of 5th Street and Idaho Street is very busy, and also one of the highest for accidents in the city, exceeded only by 12th Street and Idaho Street. In 2020 there were ten (10) accidents at the 5th Street and Idaho Street Intersection. There were twelve (12) at 12th Street and Idaho Street in the same time period.

When compared to intersections such as 12th Street and Silver Street (3 accidents), Idaho at Mountain City Highway (5 accidents) and Mountain City Highway and Spruce (4 accidents), which are arguably more heavily travelled on a daily basis, the intersection at 5th Street and Idaho Street particularly stands out.

Reasons for the high rate of accidents is likely the reduced visibility due to structures and proximity to the downtown bar area. Although for 2020, only one accident at this intersection was alcohol related. I am concerned that the reader boards will constitute an unnecessary diversion for drivers. If the brightness is similar to the reader board near Idaho Street and 12th Street, this will be particularly true at night. The 5th Street and Idaho Street Intersection is also busy for pedestrian traffic, further exacerbating my concerns.

I also believe that bright flashing lights would not be conducive to some businesses in the area, such as the Esquire Inn. The visual pollution would be likely to disrupt customers at this motel.

While I look forward to this lot being utilized, and the plans, absent the reader boards, would be a supported use, I cannot support the reader board portions and would ask the Planning Commission to deny the variance.

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
DISTRICT III
1951 Idaho St
Elko, Nevada 89801
(775) 777-2700

Steve Sisolak
Governor

Kristina Swallow, P.E., *Director*
In Reply Refer to:

June 28, 2021

City of Elko Planning
Attn: Cathy Laughlin
1751 Idaho St
Elko, NV 89801

Dear Cathy:

This letter is in regards to proposed activities at 397 5th Street.

SR 535 also known as Idaho Street is part of NHS (National Highway System) that is governed by NRS and NAC 408 Beautification of Highways. Any sign that is within 660 feet of this route shall be permitted through NDOT if the signage ***does not*** advertise for any service or product sold on the lot the sign is constructed on.

Bit more of a clarifying summary, the sign(s) on the property can only advertise what is sold on the property. If the owners are looking to advertise anything beyond what is sold on the property, an NDOT billboard permit must be applied for and meet the requirements of NAC/NRS 408.

If you have any questions, please do not hesitate to contact the Right of Way office at (775) 777-2700.

Sincerely,

Rhonda Morfin
ROW/ Utility Supervisor
NDOT District III Elko

RMM

Enclosures

cc: File
Scott Wilkinson, Assistant City Manager, City of Elko
Michele Rambo, Develop Manger, City of Elko

CITY OF ELKO
Planning Department

Website: www.elkocity.com
Email: planning@elkocitynv.gov

1751 College Avenue · Elko, Nevada 89801 · (775) 777-7160 · Fax (775) 777-7219

June 29, 2021

DAG, LLC
PO Box 505
Elko, NV 89803
Via Email: agonzalez@dagnv.com

Re: Variance No. 03-21

Dear Applicant/Agent:

Enclosed is a copy of the agenda for an upcoming Planning Commission meeting. Highlighted on the agenda is the item or items that you have requested to be acted on at the meeting. Also enclosed is pertinent information pertaining to your request. Please review this information before the meeting.

The Planning Commission requests that you, or a duly appointed representative, be in attendance at this meeting to address the Planning Commission. If you will not be able to attend the meeting but wish to have a representative present, please submit a letter to the Planning Commission authorizing this person to represent you at the meeting.

To participate in the virtual meeting on a computer, laptop, tablet, or smart phone go to: https://global.gotomeeting.com/join/114164549. You can also dial in using your phone at **+1 (224) 501-3412.** The **Access Code** for this meeting is **114-164-549.**

If you have any questions regarding this meeting, the information you received, or if you will not be able to attend this meeting, please call me at your earliest convenience at (775) 777-7160.

Sincerely,

Shelby Knopp

Shelby Knopp
Planning Technician

Enclosures

CC:

Variance 3-21 DAG, LLC

YPNO	PANAME	PMADD1	PMADD2	PMCTST	PZIP
001263007	3L LLC } 1pc		517 IDAHO ST	ELKO NV	89801-3756
001263006	3L LLC		517 IDAHO ST	ELKO NV	89801-3756
001266004	560 IDAHO ST LLC } 1pc		560 IDAHO ST	ELKO NV	89801-3716
001266008	560 IDAHO ST LLC		560 IDAHO ST	ELKO NV	89801-3716
001265011	ANACABE, ANITA T		2000 RUBY VIEW DR	ELKO NV	89801
001262008	API FOR MACLEAN IDAHO STREET PR		15121 MONTE SERENO	LOS GATOS CA	95030
001263005	BHAKTA, BHULABHAI & SADHANA B T	ESQUIRE MOTEL	505 IDAHO ST	ELKO NV	89801-3756
001262007	BLOHM, LINA TR		495 IDAHO ST	ELKO NV	89801-3766
001265014	BROWN, PHILLIP GEORGE ET AL		PO BOX 1660	ELKO NV	89803-1660
001265018	CAVANAUGH & CAVANAUGH LLC		401 RAILROAD ST	ELKO NV	89801-3763
001266001	CITY CENTER ONE LLC	C/O MAYNARD, PATRICIA	2115 SIERRA DR	ELKO NV	89801-4560
001265004	CUCINA INVESTMENTS LLC		3611 AUTUMN COLORS DR	ELKO NV	89801-7801
001266003	DIGRAZIA & GOICOECHEALLC		530 IDAHO ST	ELKO NV	89801-3716
001263010	ELKO COUNTY OF		571 IDAHO ST	ELKO NV	89801-3715
001265002	ELKO GENERAL MERCHANDISE CO INC		416 IDAHO ST	ELKO NV	89801-3714
001262001	FIRST NAT BANK OF NEV } 1pc	C/O THOMSON PROPERTY TAX SER	PO BOX 2609	CARLSBAD CA	92018-2609
001262012	FIRST NAT BANK OF NEV	C/O THOMSON PROPERTY TAX SER	PO BOX 2609	CARLSBAD CA	92018-2609
001265010	GOLDIE, RONALD ALLEN		182 W BULLION RD UNIT 13	ELKO NV	89801-7617
001265009	GSC PROPERTIES, LLC		475 RAILROAD ST	ELKO NV	89801-
001262009	HIGLEY, SHIRLEY S TR ET AL		1140 HIGHLAND DR	ELKO NV	89801-2954
001266010	J QUAID INVESTMENTS LLC SERIES2		PO BOX 1892	ELKO NV	89803-1892
001265003	JADEN ENTERPRISES LLC		1705 SEQUOIA DR	ELKO NV	89801-1605
001265013	JENNINGS, MICHAEL R		1122 CALVADOS DR	SPARKS NV	89434-2508
001265007	KNIGHT, DAVID COOPER TR ET AL		109 FIR ST	ELKO NV	89801-3023
001262010	LEMONS, JOSEPH DONALDSUE ADELE		205 WALNUT ST	ELKO NV	89801-2831
001265005	LIPPARELLI, MATTHEW H& TERESA J		462 IDAHO ST	ELKO NV	89801-3714
001265008	NEVADA STATE BANK	C/O NSB PROPERTY MANAGEMEN	PO BOX 54288	LEXINGTON KY	40555-4288
001265015	NYE, MICHAEL B		433 RAILROAD ST	ELKO NV	89801-3717
001262011	O'CONNOR, JERRY D TR ET AL		415 IDAHO ST	ELKO NV	89801-3713
001265019	ORMAZA SERIES(400 IDAHO)LLC } 1pc		PO BOX 339	ELKO NV	89803-0339
001265001	ORMAZA SERIES(400 IDAHO)LLC		PO BOX 339	ELKO NV	89803-0339
001265012	PUENTES, TEODORA & EUSEBIO		451 RAILROAD ST	ELKO NV	89801-3717
001262003	READ & POWELL INVESTMENTS LLC } 1pc		491 5TH ST	ELKO NV	89801-3513

001262013	READ & POWELL INVESTMENTS LLC		491 5TH ST	ELKO NV	89801-3513
001265006	SONORA LLC		PO BOX 1597	ELKO NV	89803-1597
001265016	WEIGHT, AUTUMN D ET AL	C/O AUTUMN JOHANSEN	453 SAGE ST	ELKO NV	89801-2825
001266006	WESTERN FOLKLIFE CENTER C/O S		501 RAILROAD ST	ELKO NV	89801-3752
001266009	WESTERN FOLKLIFE CENTER THE C		501 RAILROAD ST	ELKO NV	89801-3752
001266007	WESTERN FOLKLIFE CENTER THE C		501 RAILROAD ST	ELKO NV	89801-3752
001262002	WILSON BARROWS & SALYER LTD		442 COURT ST	ELKO NV	89801-3528
001265017	WINES, CATHERINE		421 RAILROAD ST STE 208	ELKO NV	89801-3751
006090					
006090					

1 pc

34

Post Marked 6/25/21

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Elko City Planning Commission will conduct a public hearing on Tuesday, July 6, 2021 beginning at 5:30 P.M. P.D.S.T. at Elko City Hall, 1751 College Avenue, Elko, Nevada, and that the public is invited to provide input and testimony on these matters under consideration in person, by writing, by representative, or via Gotomeeting.com. https://global.gotomeeting.com/join/114164549.

The public can view or participate in the virtual meeting on a computer, laptop, tablet or smart phone at https://global.gotomeeting.com/join/114164549. You can also dial in using your phone. **+1 (224) 501-3412.** Access Code: **114-164-549.** Comments can also be emailed to cityclerk@elkocitynv.gov.

The specific item to be considered under public hearing format is:

- **Variance No. 3-21, filed by DAG, LLC on behalf of Sonora, LLC, to allow for an increase in the number of allowed freestanding signs per street frontage and increase maximum area of a freestanding sign, and matters related thereto. The subject property is located on the south corner of the intersection of 5th Street and Idaho Street. (397 5th Street – APN 001-265-006)**
-

Additional information concerning this item may be obtained by contacting the Elko City Planning Department at (775) 777-7160.

ELKO CITY PLANNING COMMISSION

CITY OF ELKO PLANNING DEPARTMENT

1751 College Avenue * Elko * Nevada * 89801

(775) 777-7160 * (775) 777-7219 fax

APPLICATION FOR VARIANCE

APPLICANT(s): DAG LLC (dba Downtown Advertising Group)
MAILING ADDRESS: PO Box 505 Elko NV 89803
PHONE NO (Home) 702 927 8339 **(Business)** 775 401 4027
NAME OF PROPERTY OWNER (If different): Sonora LLC please see email for
(Property owner's consent in writing must be provided.)
MAILING ADDRESS: consent in writting
LEGAL DESCRIPTION AND LOCATION OF PROPERTY INVOLVED (Attach if necessary):
ASSESSOR'S PARCEL NO.: 001-265-006 **Address** 397 5th Street Elko NV 89801
Lot(s), Block(s), &Subdivision _____
Or Parcel(s) & File No. _____

FILING REQUIREMENTS:

Complete Application Form: In order to begin processing the application, an application form must be complete and signed. *Complete* applications are due at least 21 days prior to the next scheduled meeting of the Elko City Planning Commission (meetings are the 1st Tuesday of every month).

Fee: A $500.00 non-refundable fee must be paid. If in conjunction with a Rezone Application a $250.00 non-refundable fee must be paid.

Plot Plan: A plot plan provided by a properly licensed surveyor depicting the existing condition drawn to scale showing property lines, existing and proposed buildings, building setbacks, parking and loading areas, driveways and other pertinent information must be provided.

Elevation Plan: Elevation profile of all proposed buildings or alterations in sufficient detail to explain the nature of the request must be provided.

Note: One .pdf of the entire application must be submitted as well as one set of legible, reproducible plans 8 ½" x 11" in size. If the applicant feels the Commission needs to see 24" x 36" plans, 10 sets of pre-folded plans must be submitted.

Other Information: The applicant is encouraged to submit other information and documentation to support this Variance application.

The APPLICANT requests the following variance from the following section of the zoning ordinance:

Chapter 9: Sign Regulations (3-9-7, 3-9-8, 3-9-12)

1. The existing zoning classification of the property Commercial

2. The applicant shall present **adequate** evidence demonstrating the following criteria which are necessary for the Planning Commission to grant a variance:

   a) Identify any special circumstances, features or conditions applying to the property under consideration. i.e., unusual shape, configuration, exceptional topographic conditions or other extraordinary situations or conditions

   Please refer to Appendix 2a response.

   b) Identify how such circumstances, features or conditions result in practical difficulty or undue hardship and deprive the property owner of reasonable use of property.

   Please refer to Appendix 2b response.

   c) Indicate how the granting of the variance is necessary for the applicant or owner to make reasonable use of the property.

   Please refer to Appendix 2c response.

   d) Identify how such circumstances, features or conditions do not apply generally to other properties in the same Land Use District.

   Please refer to Appendix 2d response.

e) Indicate how the granting of the variance will not result in material damage or prejudice to other properties in the vicinity nor be detrimental to the public health, safety and general welfare.

Please refer to Appendix 2e response.

f) Indicate how the variance will not be in conflict with the purpose or intent of the Code.

Please refer to Appendix 2f response.

g) Indicate how the granting of the variance will not result in a change of land use or zoning classification.

Please refer to Appendix 2g response.

h) Indicate how granting of the variance will not substantially impair affected natural resources.

Please refer to Appendix 2h response

3. Describe your ability (i.e. sufficient funds or a loan pre-approval letter on hand) and intent to construct within one year as all variance approvals **must** commence construction within one year and complete construction within 18 months per City Code Section 3-2-22 F.1.: _____

Please refer to Appendix 3 response.

(Use additional pages if necessary to address questions 2a through h)

This area intentionally left blank

By My Signature below:

☑ I consent to having the City of Elko Staff enter on my property only for the sole purpose of inspecting said property as part of this application process.

☐ I object to having the City of Elko Staff enter onto my property as a part of their review of this application. (Your objection will not affect the recommendation made by the staff or the final determination made by the City Planning Commission or the City Council.)

☑ I acknowledge that submission of this application does not imply approval of this request by the City Planning Department, the City Planning Commission and the City Council, nor does it in and of itself guarantee issuance of any other required permits and/or licenses.

☑ I acknowledge that this application may be tabled until a later meeting if either I or my designated representative or agent is not present at the meeting for which this application is scheduled.

☑ I have carefully read and completed all questions contained within this application to the best of my ability.

Applicant / Agent Adrian Gonzalez Managing Partner DAG LLC
(Please print or type)

Mailing Address PO BOX 505
Street Address or P.O. Box

Elko, NV 89801
City, State, Zip Code

Phone Number: 775-401-4027

Email address: agonzalez@dagnv.com

SIGNATURE:

FOR OFFICE USE ONLY

File No.: 3-21 **Date Filed:** 6/15/21 **Fee Paid:** $500 CK# 1005

RECEIVED
JUN 16 2021

2(a) Response:

There are no special circumstances associated with the lot. It meets our specific business model. Nor does the property have any other extraordinary situations or conditions that would prevent us from putting up signage and a walk up restaurant.

2(b) Response:

No practical difficulty or undue hardship will deprive the property owners of reasonable use of the property will result if no variances are granted.

2(c) Response:

Granting the variances allows the business owners to bring their business plan to fruition. The business model does not pass chapter 9 sign regulation code. Specifically, clutter, light pollution, height requirement, and impeding flow of traffic. Reasonable use provisions depend on the variance being granted. If no variances are granted, the property owners will not be incentivized to buy or build on the property.

2(d) Response:

The business model does not pass chapter 9 sign regulation code. No other property is permitted to build our business model because it does not pass the code unless they are granted a variance. This is a commercial property and we are constructing a commercial advertising plaza under the same Land Use District of the downtown corridor.

2(e) Response:

The signage mounts and installation will be constructed with all provision of the international building code. Vendors must prove without a reasonable doubt that their technology can endure the Northern Nevada climate. Signage will be well equipped with dimmable sensors, they will be brighter during the day and dimmer during the night. Client contract will contain provision about advertising being displayed and they will not be advertising risqué and vulgar content. Advertising will be tasteful but attractive to capture the advertiser's message. Bollards will be aligned throughout the perimeter to make sure that the lots assets and pedestrians will feel safe of a possible errant vehicles.

2(f) Response in Blue:

The following is the code verbatim;

The chapter 9 sign regulations establish standards to ensure the placement of safe, effective signage throughout the city. Specific regulations and standards are intended to address the following:

a. To ensure that signs erected within the city are constructed of safe, durable materials and secured in a manner adequate to withstand physical stresses.

We will comply with all construction stresses set forth by the international building code.

b. To Protect and enhance property values and create an attractive economic and business climate.

Empty lot will go through a beautification remodel. It enhances every local business by advertising their business in the busiest intersection of Elko County. It will bring curb appeal to the downtown corridor.

c. To protect and enhance the physical beauty and appearance of the community.

Empty lot will go through a physical beautification and plaza has four subliminal dedications to Elko, Elko County, and Nevada.

d. To reduce sign or advertising distractions and obstructions that may adversely affect or conflict with traffic control signs, signals, and other traffic control devices.

The pedestrian signage will not exceed 7ft from the ground to the top. The digital billboards will be over 25ft from the top of the sign to the ground. No signs will be in the visible eyeline of the 5th street and Idaho street intersection traffic control devices.

e. To reduce visual clutter along streets and roadways thus providing each sign user an opportunity for effective identification and advertising by addressing the quantity, height, and area of freestanding signs on all sites. (Ord. 608, 10-28-2003)

All signs will be from only one vendor. The three wall digital billboards will be the same size. The five walk up freestanding signs will be the same size and be 12 feet apart from the other freestanding signs.

2(g) Response:

The business plan is a commercial advertising plaza. No land use or zoning classification will be needed for this business plan it is not a housing, industrial, or recreational business concept.

2(h) Response:

It is currently an empty lot. We are going to be as minimally evasive as possible based on the recommendations of our architect and construction company. Walls erected will be of sound structure following building code.

3. Response:

If variances are granted, the LLC partners are immediately contracted to pay on the property note. Immediately after approval, the business plan will be able to factually state how many signages we can operate. Creditors will perform their review of our forecasting trends and financial analysis of the business plan. Construction bids, digital billboards bids, and bollard bids will be requested immediately while we are securing capital. The LLC partners have sufficient cash flows to pay on the property note and when capital is raised for the signage, bollards, and walk up restaurant construction will commence.

Cathy Laughlin

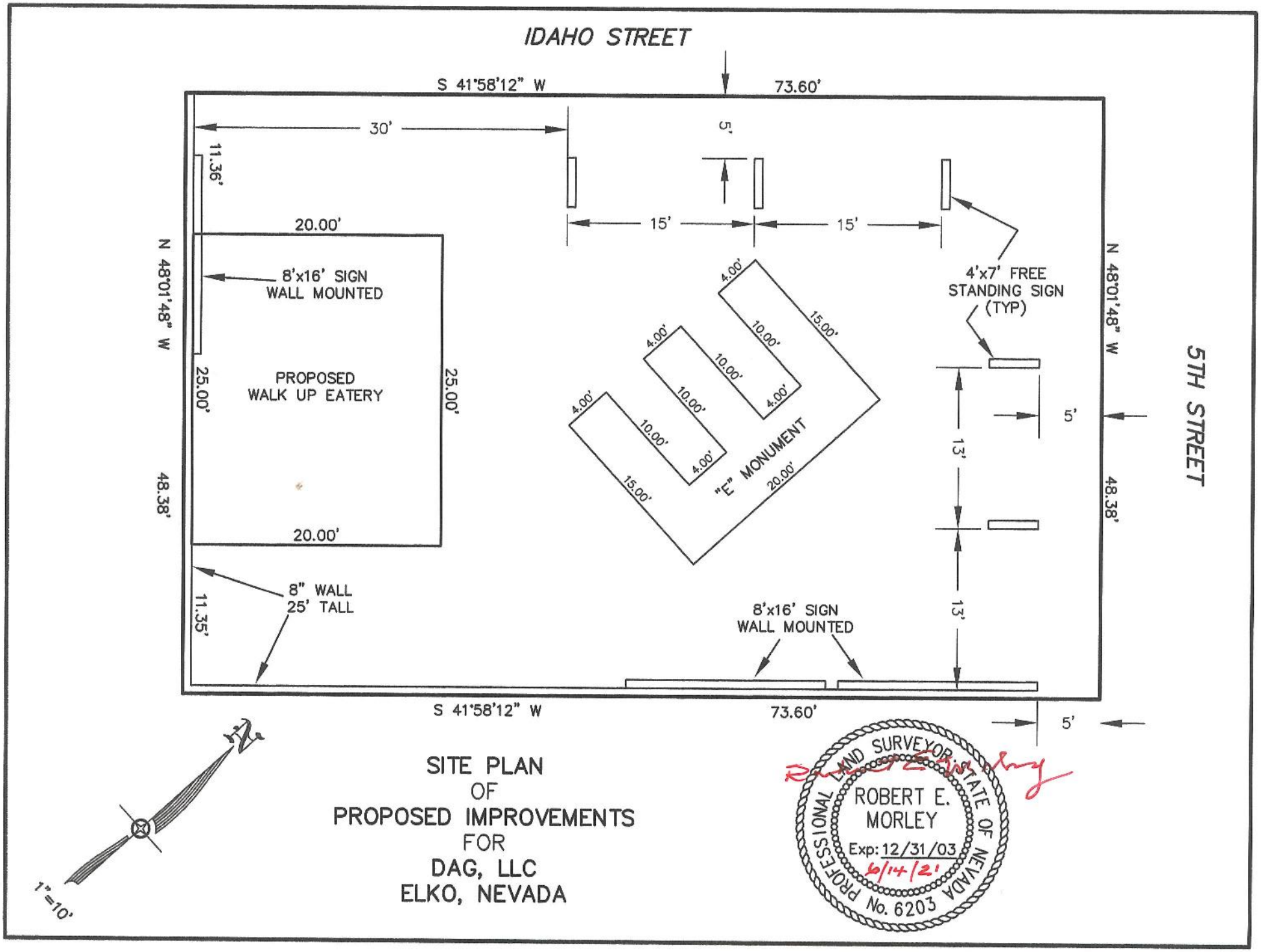
From: Janet Pescio <the_cove09@yahoo.com>
Sent: Friday, June 04, 2021 1:39 PM
To: Cathy Laughlin

I, Janet Pescio, give permission to DAG LLC (dba Downtown Advertising Group) to apply for a variance. This property is currently owned by Sonora.

Thank You,

Janet Pescio

Sent from my iPhone



SITE PLAN
OF
PROPOSED IMPROVEMENTS
FOR
DAG, LLC
ELKO, NEVADA

DIG DEEP!!
DIG DEEP!!
ELKO

Elko City Planning Commission
Agenda Action Sheet

1. **Review, consideration and possible action of Variance No 4-21, filed by Modern Land Development, LLC, for a reduction of the required lot width from 60' to 33.33' for proposed Parcels 2 and 3 and from 60' to 33.30' for proposed Parcel 1; a reduction in the required lot depth for proposed Parcel 1 from 100 feet to 99.96 feet; and a reduction of the required lot area for proposed Parcel 1 from 6,000 square feet to 3,339 square feet, proposed Parcel 2 from 6,000 square feet to 3,362 square feet, and proposed Parcel 3 from 6,000 square feet to 3,382 square feet in an R (Single-Family and Multiple-Family Residential) Zoning District and matters related thereto, FOR POSSIBLE ACTION**

2. Meeting Date: **July 6, 2021**

3. Agenda Category: ***PUBLIC HEARINGS,***

4. Time Required: **15 Minutes**

5. Background Information: **The applicant is requesting a variance for a proposed division of one lot into three lots which will not be in conformance with lot width, depth and lot area.**

6. Business Impact Statement: **Not Required**

7. Supplemental Agenda Information: **Application, Staff Reports**

8. Recommended Motion: **Deny Variance No. 4-21 based on findings of fact as stated in Staff report dated June 23, 2021.**

9. Findings: **See staff report dated June 23, 2021**

10. Prepared By: **Cathy Laughlin, City Planner**

11. Agenda Distribution: **Mike Shanks**
982 Wolf Creek Dr.
Spring Creek, NV 89815
shankseng@gmail.com

STAFF COMMENT FLOW SHEET
PLANNING COMMISSION AGENDA DATE: 7/6
Do not use pencil or red pen, they do not reproduce

Title: Variance No. 4-21

Applicant(s): Modern Land Development, LLC

Site Location: 1379 Lamoille Hwy - APN 001-502-008

Current Zoning: R Date Received: 6/15/21 Date Public Notice: 6/22/21

COMMENT: This is for a reduction of the required lot width from 60' to 33.33' for propose Parcels 2+3 and from 60' to 33.30 for proposed Parcel 1; a reduction in the required lot depth from 100' to 99.96'; and reduce the area from 6,000' to 3,339 P1, 6,000' to 3362' P2, + 6,000' to 3382' P3.

If additional space is needed please provide a separate memorandum

Assistant City Manager: Date: 6/25/21

Recommend denial of the application for the variance. There is no demonstrated hardship & granting the variance will impair the intent of city code.

SAW

Initial

City Manager: Date:

Initial

City of Elko
1751 College Avenue
Elko, NV 89801
(775) 777-7160
FAX (775) 777-7119

CITY OF ELKO STAFF REPORT

MEMO DATE: June 23, 2021
PLANNING COMMISSION DATE: July 6, 2021
APPLICATION NUMBER: Variance 4-21
APPLICANT: Modern Land & Development LLC
PROJECT DESCRIPTION: APN 001-502-008

Variance from 3-2-5(G) to allow for a reduced lot width, depth and lot area within the R-Single Family and Multiple Family Residential Zoning District.

STAFF RECOMMENDATION:

RECOMMEND to DENY subject to findings of fact as stated in this report.

PROJECT INFORMATION

PARCEL NUMBER: 001-502-008

EXISTING ZONING: R- Single Family and Multiple Family Residential

MASTER PLAN DESIGNATION: Medium Density Residential

EXISTING LAND USE: Undeveloped, was previously developed as multiple family residential and demolished after a fire destroyed the structure.

BACKGROUND:

1. The applicant is the property owner.
2. The property was previously developed as residential land use.
3. The lot area is approximately 10,082 Sq. ft. as it is mapped today.
4. The property was developed with a tri-plex and was destroyed by a fire May 2016. At that time, the property owner was Larry and Alicia Groso. They sold the property to Equity Trust Company Custodian on 12/6/2016 and Equity Trust Company Custodian sold the property to Modern Land & Development LLC on 4/23/2021.

NEIGHBORHOOD CHARACTERISTICS:

The property is surrounded by:

Northeast: R-Residential / Developed
Northwest: R-Residential / Developed
Southwest: R- Residential / Developed
Southeast: C-General Commercial / Developed

PROPERTY CHARACTERISTICS:

- The property is currently undeveloped.
- The lot has double frontage of Southside Drive and Lamoille Highway but access will only be allowed from Southside Drive.
- The property is fairly flat.
- The property is missing sidewalk along both frontages.

MASTER PLAN AND CITY CODES:

Applicable Master Plans and City Code Sections are:

- City of Elko Master Plan – Land Use Component
- City of Elko Master Plan – Transportation Component
- City of Elko Redevelopment Plan
- City of Elko Wellhead Protection Plan
- City of Elko Zoning – Section 3-2-4 Establishment of Zoning Districts
- City of Elko Zoning – Section 3-2-5 Residential Zoning Districts
- City of Elko Zoning – Section 3-2-17 Traffic, Access, Parking and Loading Regulations

- City of Elko Zoning – Section 3-2-22 Variances
- City of Elko Zoning – Section 3-8 Flood Plain Management

MASTER PLAN – Land Use:

1. The Master Plan Land Use Atlas shows the area as Medium Density Residential.
2. R- Single Family and Multiple Family Residential is a corresponding zoning district for Medium Density Residential.
3. Objective 1: Promote a diverse mix of housing options to meet the needs of a variety of lifestyles, incomes, and age groups.

The proposed variance is in conformance with the Master Plan Land Use Component.

MASTER PLAN - Transportation:

1. The area is accessed from Southside Drive.
2. Southside Drive is classified as a Residential local.
3. The property is lacking pedestrian connectivity along both frontages.
4. Access will not be allowed from Lamoille Highway.

The proposed variance is in conformance with the Master Plan Transportation Component.

REDEVELOPMENT PLAN

The property is not located within the redevelopment area and consideration of the plan is not required.

ELKO WELLHEAD PROTECTION PLAN:

1. The property is located outside any capture zone for any City of Elko well.

The proposed use of the property does not present a hazard to City wells.

SECTION 3-2-4 ESTABLISHMENT OF ZONING DISTRICTS:

1. Section 3-2-4(B) Required Conformity To District Regulations: The regulations set forth in this chapter for each zoning district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, except as provided in this subsection.

    - No building, structure or land shall hereafter be used or occupied and no building or structure or part thereof shall hereafter be erected, constructed, moved, or structurally altered, unless in conformity with all regulations specified in this subsection for the district in which it is located.

    - No building or other structure shall hereafter be erected or altered:
      a. To exceed the heights required by the current City Airport Master Plan;
      b. To accommodate or house a greater number of families than as permitted in this chapter;
      c. To occupy a greater percentage of lot area; or

d. To have narrower or smaller rear yards, front yards, side yards or other open spaces, than required in this title; or in any other manner contrary to the provisions of this chapter.

) No part of a required yard, or other open space, or off street parking or loading space, provided in connection with any building or use, shall be included as part of a yard, open space, or off street parking or loading space similarly required for any other building.

) No yard or lot existing on the effective date hereof shall be reduced in dimension or area below the minimum requirements set forth in this title.

The property, as proposed with the parcel map division into three parcels, does not conform to Section 3-2-4 of city code.

SECTION 3-2-5(G) RESIDENTIAL ZONING DISTRICTS:

1. Minimum area stipulated for the district is five thousand five hundred (6,000) square feet for an interior lot.

2. Minimum lot width stipulated for the district of sixty feet (60').

3. Minimum lot depth stipulated for the district of one hundred feet (100')

4. Minimum setbacks stipulated for the district are as follows:
   Front Yard: A minimum setback of fifteen feet (15') (20') to a garage.
   Rear Yard: A minimum setback of twenty feet (20')
   Interior Side: For single family, a minimum setback of five feet six inches (5.5')

The property, as proposed with the parcel map division for three principal permitted uses of a single family residence, is not in conformance with Elko City Code 3-2-5(G) without the approval of a variance for the reduction of lot width, depth and lot area.

SECTION 3-2-17 TRAFFIC, ACCESS, PARKING AND LOADING REGULATIONS:

Conformance with ECC 3-2-17 would be required with the development of the property.

SECTION 3-2-22 VARIANCES:

B. Procedure: Any person requesting a variance by the planning commission shall include:

Application Requirements

1. There are special circumstances or features, i.e., unusual shape, configuration, exceptional topographic conditions or other extraordinary situations or conditions applying to the property under consideration.

- Applicant states: The site contained a 3-plex that fronted onto Lamoille Highway with one driveway. The structure burned down and the owner desires to rebuild but can no longer build what was there.
- Staff comments: This is a very large parcel that could accommodate either a single family residence or multiple family residence up to four units still meeting the area requirement and setbacks. There is no unusual shape, configuration or exceptional topography which need to be considered as special circumstances or features.

2. The special circumstance or extraordinary situation or condition results in exceptional practical difficulties or exceptional undue hardships, and where the strict application of the provision or requirement constitutes an abridgment of property right and deprives the property owner of reasonable use of property.

- Applicant states: The 3-plex burned and cannot be reconstructed in a similar fashion as frontage onto Lamoille Highway is no longer allowed. In addition, the cost to rebuild what existed prior to the fire is cost prohibitive.
- Staff comments: The existing property owner was not the property owner when the fire destroyed the property. Modern Land & Development LLC purchased the property in 2021 as one undeveloped parcel knowing the zoning would allow for a single family residence or multiple family residence. Cost is not a factor in determining the approval of a variance. Financial considerations is not a legally recognized hardship to grant a variance. The applicant has not demonstrated that strict application of the code will create an undue hardship. As stated under item 1, the applicant can construct a variety of residential structures on the existing lot.

3. Such special circumstances or conditions do not apply generally to other properties in the same zoning district.

- Applicant states: The average property has not experienced an event which destroyed the structure.
- Staff comments: There are no special circumstances or conditions regarding this parcel and the surrounding parcels all appear to be a minimum of 6,000 sq. ft..

4. The granting of the variance will not result in material damage or prejudice to other properties in the vicinity, nor be detrimental to the public interest, health, safety and general welfare.

- Applicant states: The variance will allow individual homes to be constructed which will increase the tax base, property values and quality of tenant, increasing safety and general welfare.
- Staff comments: The applicant has not clearly stated that this will not result in prejudice to other properties in the vicinity. Granting the variance will create three legal non-conforming lots when the other properties in the vicinity are all legal conforming lots which may or may not result in prejudice to the other properties.

5. The granting of the variance will not substantially impair the intent or purpose of the zoning ordinance or effect a change of land use or zoning classification.

   - Applicant states: The main intent of the code is to provide a diversity of affordable housing with a variety of choices. The variance complements the intent of the code. The existing classification is R. The lot contained 3 housing units. The variance will allow for 3 small residential homes also in the R zoning.
   - Staff comments: Although, objective #1 in the Master Plan does state to promote a diverse mix of housing options to meet the needs of a variety of lifestyles, incomes, and age groups, the Master Plan does not indicate that granting of variances to create smaller lots than stipulated in code will achieve the objective. We agree that this does provide a different housing option but, if this variance was approved, there would be no reason in Elko City Code stating a minimum lot width and area. Approval of the variance will substantially impair the intent and purpose of the code by setting a precedent to create lots smaller than stipulated in the code with no demonstrated hardship.

6. The granting of the variance will not substantially impair affected natural resources.

   - Applicant states: The variance and proposed project will require the same resources as what existed.
   - Staff comments: We agree that the granting of the variance will not substantially impair affected natural resources.

All six of the above items need to be met in order to grant a variance. The variance does not conform to Section 3-2-22 of Elko City Code.

SECTION 3-8 FLOODPLAIN MANAGEMENT:

1. This parcel is not designated in a Special Flood Hazard Area (SFHA).

FINDINGS

1. The proposed variance is in conformance with the Land Use Component of the Master Plan.

2. The proposed variance is consistent with the Transportation Component of the Master Plan.

3. The property is not located within the redevelopment area and consideration of the plan is not required.

4. The proposed variance is consistent with City of Elko Wellhead Protection Plan.

5. The property, as proposed with the parcel map division into three parcels, does not conform to Section 3-2-4 of city code.

6. The property, as proposed with the parcel map division for three principal permitted uses of a single family residence, is not in conformance with Elko City Code 3-2-5(G) without the approval of a variance from for the reduction of lot width, depth and lot area.

7. In accordance with Section 3-2-22, the applicant has not demonstrated any special circumstances or features regarding the parcel.

8. In accordance with Section 3-2-22, the applicant has not demonstrated that there is a hardship.

9. Granting of the variance may or may not result in material damage or prejudice to other properties in the vicinity.

10. Granting of the variance will substantially impair the intent or purpose of the zoning ordinance. Single family is listed as a principal use in the underlying zone but the zoning ordinance lists minimum lot size and area.

11. Granting of the variance will not impair natural resources.

12. The parcel is not located within a designated Special Flood Hazard Area.

STAFF RECOMMENDATION:

Staff recommends this item be **DENIED.**

City of Elko Development Department
1751 College Avenue
Elko, NV 89801
(775) 777-7210
FAX (775) 777-7219

Memorandum

To: Planning Commission
From: Michele Rambo, AICP – Development Manager
RE: Variance 4-21
Date: June 16, 2021

RECOMMENDATION: ***DENIAL***

Variances are granted when a hardship associated with the property prevents the property from meeting the minimum requirements of the zoning ordinance. For instance, the lot is an unusual shape and does not provide enough space to meet the currently required setbacks. Lots with significant slope, smaller than required lot width, or smaller than the required lot area would also be examples of when a variance would be appropriate.

Variances can be a useful tool when used correctly. However, a variance is not a free pass from zoning regulations or a tool to subvert the zoning ordinance itself. The Nevada Planning Guide instructs that variances cannot be granted "to permit uses in zoning districts in which a use is not allowed, vary minimum spacing requirements, or relieve hardships that are solely personal, self-created, or financial in nature". Previous court cases throughout the country have also found that variances cannot be used for self-created hardships or financial gain, both of which are used as justification by the applicant in the variance application.

Self-Created Hardship

The applicant is requesting a variance so they can create three nonconforming lots. The existing lot is conforming with all requirements for the zoning district in terms of lot size, lot depth, and lot width. There is adequate room to build another multiple-family residential building on the currently existing lot. In other words, there is no hardship unless the variance is approved. This is the definition of a self-created hardship.

Financial Considerations

The application states that "the cost to rebuild what existed prior to the fire is cost prohibitive". While this is unfortunate, it is not a legally recognized basis to grant a variance. According to the courts, a hardship does not include a potential for economic loss or less than maximum return on their investment. To offset this financial issue, the new residential building could be made smaller or include fewer units.

Conclusion:

A hardship is not just an ordinary inconvenience or difficulty. Instead, the property owner must be able to show that there is an inability to make reasonable use of the land for a reason unique to that particular property. Based on the information provided, the property owner in this instance has not been able to show a unique feature of the property that would prohibit them from reasonable use.

City Code Section 3-2-22(C) requires that the Planning Commission determine that all six required findings be met in order to approve any variance application. At this time, the Development Department cannot find justification for any of the findings. Therefore, the Development Department is recommending denial of the proposed variance.

CITY OF ELKO
Planning Department

Website: www.elkocity.com
Email: planning@elkocitynv.gov

1751 College Avenue · Elko, Nevada 89801 · (775) 777-7160 · Fax (775) 777-7219

June 29, 2021

Mike Shanks
982 Wolf Creek Dr.
Spring Creek, NV 89815
Via Email: shankseng@gmail.com

Re: Variance No. 04-21

Dear Applicant/Agent:

Enclosed is a copy of the agenda for an upcoming Planning Commission meeting. Highlighted on the agenda is the item or items that you have requested to be acted on at the meeting. Also enclosed is pertinent information pertaining to your request. Please review this information before the meeting.

The Planning Commission requests that you, or a duly appointed representative, be in attendance at this meeting to address the Planning Commission. If you will not be able to attend the meeting but wish to have a representative present, please submit a letter to the Planning Commission authorizing this person to represent you at the meeting.

To participate in the virtual meeting on a computer, laptop, tablet, or smart phone go to: https://global.gotomeeting.com/join/114164549. You can also dial in using your phone at **+1 (224) 501-3412.** The **Access Code** for this meeting is **114-164-549.**

If you have any questions regarding this meeting, the information you received, or if you will not be able to attend this meeting, please call me at your earliest convenience at (775) 777-7160.

Sincerely,

Shelby Knopp

Shelby Knopp
Planning Technician

Enclosures

CC:

Variance 4-21 Modern Land Development, LLC

YPNO	PANAME	PMADD1	PMADD2	PMCTST	PZIP
001781009	ALBARRAN-ESQUIVEL, JOSE JUAN ET		1156 CLARKSON DR	ELKO NV	89801-4312
001740013	ARKIN, LAURIE JEAN TR ET AL		1605 CROWN DR	RENO NV	89503-2213
001501014	AVILA, SILVESTRA TR		1369 SOUTHSIDE DR	ELKO NV	89801-4349
001502003	BAUER, WILLIAM M & JANIE L		1270 SOUTHSIDE DR	ELKO NV	89801-4361
001781017	BUSHELL, JAMES ERNEST		1194 CLARKSON DR	ELKO NV	89801-4312
001781019	CARLOS-PUENTES, SERGIO ET AL		1228 CLARKSON DR	ELKO NV	89801-4314
001781021	CORTEZ, SERGIO & YOLANDA		702 LAST CHANCE RD UNIT 14	ELKO NV	89801-8748
001502009	CRUSON, JAMES W & KAREN L		1389 LAMOILLE HWY	ELKO NV	89801-4317
001781016	DURAN, CARMEN & FRANCISCA		1170 CLARKSON DR	ELKO NV	89801-4312
001501003	ELWOOD, JOHN K & MARGIE M TR		1379 SOUTHSIDE DR	ELKO NV	89801-4349
001501006	HERRERA, BRYAN		1321 SOUTHSIDE DR	ELKO NV	89828-1383
001630023	HIGH MARK INC		241 HOLYOKE PL	SPRING CREEK NV	89828-1384
001502006	JIMENEZ, MARTHA		684 BULLION RD	ELKO NV	89828-1385
001501002	LAMOILLE HIGHWAY SERIES LLC		3107 MIDLAND DR	ELKO NV	89828-1386
001501001	M&M LEGACY PROPERTIES LLC	C/O CRYSTAL MAE ABBA	3570 FROST LN	RENO NV	89828-1387
001502007	MCLANE, DOLORES		1338 SOUTHSIDE DR	ELKO NV	89828-1388
001501012	MENDOZA, JUAN & MARIAE		1359 SOUTHSIDE DR	ELKO NV	89828-1389
001502008	MODERN LAND DEVELOPMENT, LLC		PO BOX 8387	SPRING CREEK NV	89815-
001501004	MOORE, JAMES A		1349 SOUTHSIDE DR	ELKO NV	89828-1390
001501013	NEW DEAL PROPERTIES LLC	C/O MICHAEL VERNON	9310 SW 26TH AVE	PORTLAND OR	89828-1391
001501008	OLTMAN, KASSIDY K		1289 SOUTHSIDE DR	ELKO NV	89828-1392
001502005	REEVES, ROBERT L & DEBORAH A		1302 SOUTHSIDE DR	ELKO NV	89828-1393
001781018	ROBLES, LUIS & MARISELA		1204 CLARKSON DR	ELKO NV	89828-1394
001501009	RODRIGUEZ, MARIA D		1271 SOUTHSIDE DR	ELKO NV	89828-1395
001741028	THE TERRACES # 2 LLC	C/O SNYDER, DOUGLAS & N	324 SURF AVE	OCEANO CA	89828-1396
001741027	THE TERRACES # 2 LLC	C/O SNYDER, DOUGLAS & N	324 SURF AVE	OCEANO CA	89828-1397
001741026	THE TERRACES # 2 LLC	C/O SNYDER, DOUGLAS & N	324 SURF AVE	OCEANO CA	89828-1398
001741020	THE TERRACES # 2 LLC	C/O SNYDER, DOUGLAS & N	324 SURF AVE	OCEANO CA	89828-1399
001741022	THE TERRACES # 2 LLC	C/O SNYDER, DOUGLAS & N	324 SURF AVE	OCEANO CA	89828-1400
001741021	THE TERRACES # 2 LLC	C/O SNYDER, DOUGLAS & N	324 SURF AVE	OCEANO CA	89828-1401
001741051	THE TERRACES CONDOMINIUM ASSOCI	C/O SNYDER, DOUGLAS & N	324 SURF AVE	OCEANO CA	89828-1402
001501007	VAZQUEZ, ANTONIO		1301 SOUTHSIDE DR	ELKO NV	89828-1403
001501005	WHITE, ELAINE MARIE		PO BOX 1713	ELKO NV	89828-1404

1pc

001502004	WHITE, JAMES G & ROBIN	1288 SOUTHSIDE DR	ELKO NV	89828-1405
001781020	Y & T INVESTMENTS LLC	544 CHARLWOOD CT	SPRING CREEK NV	89828-1406

29

Post marked 6/25/21

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Elko City Planning Commission will conduct a public hearing on Tuesday, July 6, 2021 beginning at 5:30 P.M. P.D.S.T. at Elko City Hall, 1751 College Avenue, Elko, Nevada, and that the public is invited to provide input and testimony on these matters under consideration in person, by writing, by representative, or via Gotomeeting.com. https://global.gotomeeting.com/join/114164549.

The public can view or participate in the virtual meeting on a computer, laptop, tablet or smart phone at https://global.gotomeeting.com/join/114164549. You can also dial in using your phone. **+1 (224) 501-3412.** Access Code: **114-164-549.** Comments can also be emailed to cityclerk@elkocitynv.gov.

The specific item to be considered under public hearing format is:

- **Variance No. 4-21, filed by Modern Land Development, LLC, for a reduction of the required lot width from 60' to 33.33' for proposed Parcels 2 and 3 and from 60' to 33.30' for proposed Parcel 1; a reduction in the required lot depth for proposed Parcel 1 from 100 feet to 99.96 feet; and a reduction of the required lot area for proposed Parcel 1 from 6,000 square feet to 3,339 square feet, proposed Parcel 2 from 6,000 square feet to 3,362 square feet, and proposed Parcel 3 from 6,000 square feet to 3,382 square feet in an R (Single-Family and Multiple-Family Residential) Zoning District and matters related thereto. The subject property is generally located on the southeast side of Southside Drive, approximately 260' from the intersection of Southside Drive and Lamoille Highway. (1342 Southside Drive – APN 001-502-008)**

Additional information concerning this item may be obtained by contacting the Elko City Planning Department at (775) 777-7160.

ELKO CITY PLANNING COMMISSION

CITY OF ELKO PLANNING DEPARTMENT

1751 College Avenue * Elko * Nevada * 89801

(775) 777-7160 * (775) 777-7219 fax

APPLICATION FOR VARIANCE

APPLICANT(s): Mordern Land & Development, LLC
MAILING ADDRESS: 982 Wolf Creek Dr.
PHONE NO (Home) 775-934-9356 **(Business)** save
NAME OF PROPERTY OWNER (If different): _____
(Property owner's consent in writing must be provided.)
MAILING ADDRESS: _____
LEGAL DESCRIPTION AND LOCATION OF PROPERTY INVOLVED (Attach if necessary):
ASSESSOR'S PARCEL NO.: 001502008 **Address** 1379 Lamoille Hwy
Lot(s), Block(s), &Subdivision _____
Or Parcel(s) & File No. _____

FILING REQUIREMENTS:

Complete Application Form: In order to begin processing the application, an application form must be complete and signed. *Complete* applications are due at least 21 days prior to the next scheduled meeting of the Elko City Planning Commission (meetings are the 1st Tuesday of every month).

Fee: A $500.00 non-refundable fee must be paid. If in conjunction with a Rezone Application a $250.00 non-refundable fee must be paid.

Plot Plan: A plot plan provided by a properly licensed surveyor depicting the existing condition drawn to scale showing property lines, existing and proposed buildings, building setbacks, parking and loading areas, driveways and other pertinent information must be provided.

Elevation Plan: Elevation profile of all proposed buildings or alterations in sufficient detail to explain the nature of the request must be provided.

Note: One .pdf of the entire application must be submitted as well as one set of legible, reproducible plans 8 ½" x 11" in size. If the applicant feels the Commission needs to see 24" x 36" plans, 10 sets of pre-folded plans must be submitted.

Other Information: The applicant is encouraged to submit other information and documentation to support this Variance application.

The APPLICANT requests the following variance from the following section of the zoning ordinance:

3.2.5 Lot Width (60 feet required, 33 feet requested); Lot Area (6,00 square feet required, 3,000 square feet requested).

1. The existing zoning classification of the property R

2. The applicant shall present **adequate** evidence demonstrating the following criteria which are necessary for the Planning Commission to grant a variance:

   a) Identify any special circumstances, features or conditions applying to the property under consideration. i.e., unusual shape, configuration, exceptional topographic conditions or other extraordinary situations or conditions

   The site contained a 3-plex that fronted onto Lamoille Highway with one drive way. The structure burned down and the owner desires to rebuild but can no longer build what was there.

   b) Identify how such circumstances, features or conditions result in practical difficulty or undue hardship and deprive the property owner of reasonable use of property.

   The 3-plex burned and cannot be reconstructed in a similar fashion as frontage Onto Lamoille Highway is no longer allowed. In addition, the cost to rebuild what existed prior to the fire is cost prohibitive.

   c) Indicate how the granting of the variance is necessary for the applicant or owner to make reasonable use of the property.

   The variance will allow the owner to construct with 3 different APN's which can be financed and are in much higher demand then a single 3 plex.

   d) Identify how such circumstances, features or conditions do not apply generally to other properties in the same Land Use District.

   The average property has not experienced an event which destroyed the structure.

e) Indicate how the granting of the variance will not result in material damage or prejudice to other properties in the vicinity nor be detrimental to the public health, safety and general welfare.

The variance will allow individual homes to be constructed which will increase the tax base, property values and quality of tenant, increasing safety and general welfare.

f) Indicate how the variance will not be in conflict with the purpose or intent of the Code.

The main intent of the code is to provide a diversity of affordable housing with a variety of choices. The variance complements the intent of the code.

g) Indicate how the granting of the variance will not result in a change of land use or zoning classification.

The existing classification is R. The lot contained 3 housing units. The variance will allow for 3 small residential homes also in the R zoning.

h) Indicate how granting of the variance will not substantially impair affected natural resources.

The variance and proposed project will require the same resources as what existed.

3. Describe your ability (i.e. sufficient funds or a loan pre-approval letter on hand) and intent to construct within one year as all variance approvals **must** commence construction within one year and complete construction within 18 months per City Code Section 3-2-22 F.1.: The project owner will be Matt Anderson of Boss Tanks. Matt has sufficient equity to borrow against the project. If required, Mr. Anderson can provide proof of his ablility to finance the project prior to the meeting of the Planning Commission.

(Use additional pages if necessary to address questions 2a through h)

This area intentionally left blank

By My Signature below:

☑ I consent to having the City of Elko Staff enter on my property only for the sole purpose of inspecting said property as part of this application process.

☐ I object to having the City of Elko Staff enter onto my property as a part of their review of this application. (Your objection will not affect the recommendation made by the staff or the final determination made by the City Planning Commission or the City Council.)

☑ I acknowledge that submission of this application does not imply approval of this request by the City Planning Department, the City Planning Commission and the City Council, nor does it in and of itself guarantee issuance of any other required permits and/or licenses.

☑ I acknowledge that this application may be tabled until a later meeting if either I or my designated representative or agent is not present at the meeting for which this application is scheduled.

☑ I have carefully read and completed all questions contained within this application to the best of my ability.

Applicant / Agent Michael E. Shanks
(Please print or type)

Mailing Address 982 Wolf Creek Dr.
Street Address or P.O. Box

Spring Creek, NV 89815
City, State, Zip Code

Phone Number: 775-934-9356

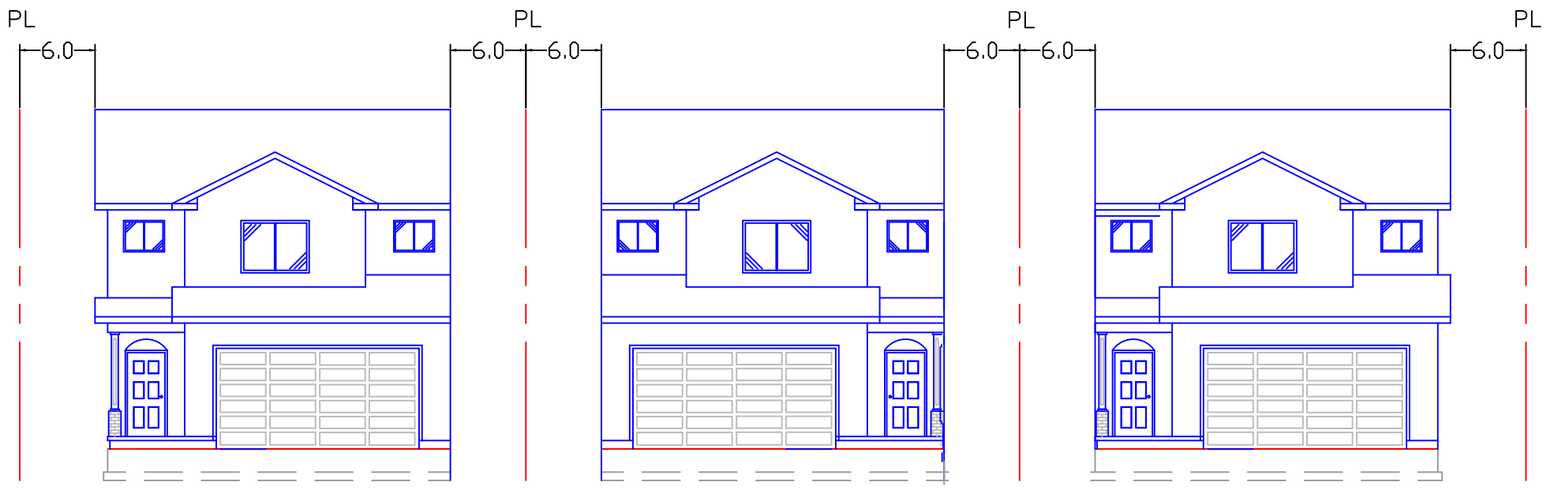
Email address: shankseng@gmail.com

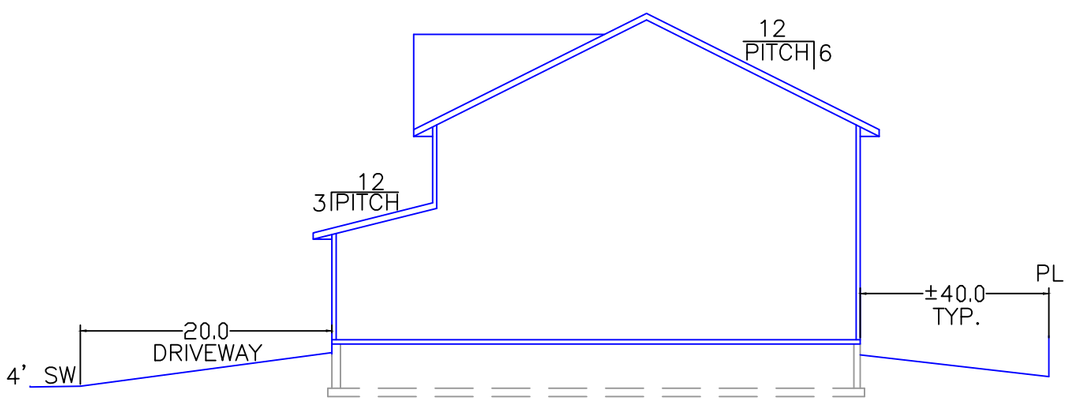
SIGNATURE:

FOR OFFICE USE ONLY

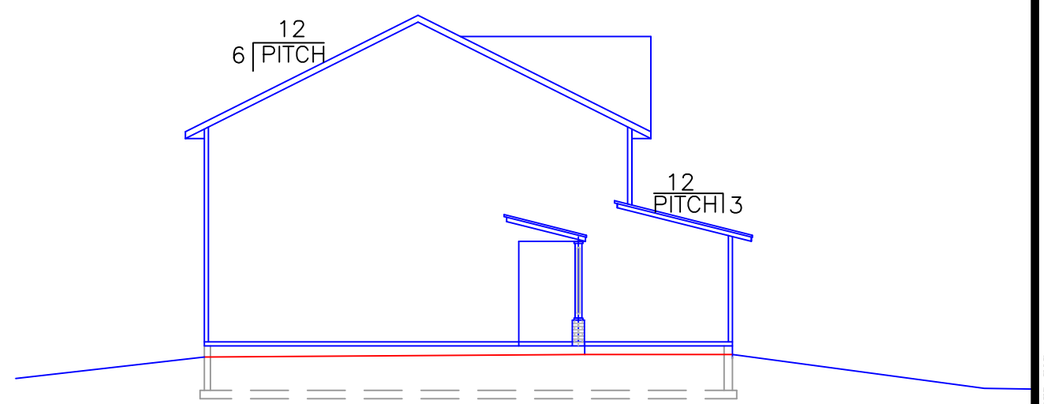
File No.: 4-21 **Date Filed:** 6/15/21 **Fee Paid:** $500 CK# 1790

RECEIVED
JUN 16 2021





RIGHT ELEEVATION



LEFT ELEVATION

PREPARED BY:

SHANKS ENTERPRISES, INC.

982 WOLF CR. DR., SPRING CR., NV 89815
775-934-9356 * shanksengr@gmail.com

DESIGNED	MS	
DRAWN	MS	
CHECKED	MS	
APPROVED		

No.	DESCRIPTION	DATE
A	issue for review	6-15-21
B	County Resubmittal	

REVISIONS REFERENCE

SCALE: AS SHOWN

REVISION A

JOB NO. XX
XX

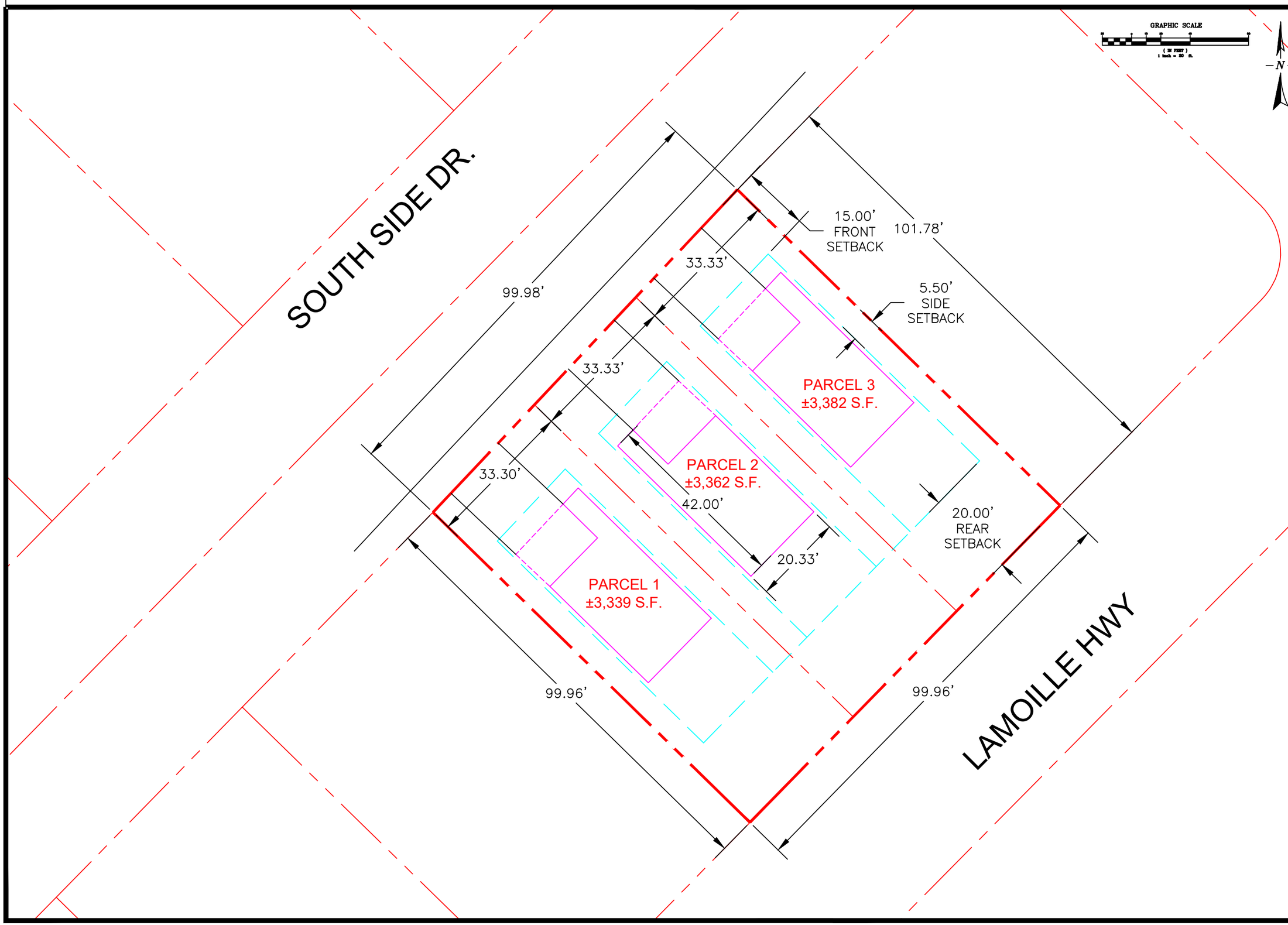
PREPARED FOR:

APN 001-502-008
1379 LAMOILLE HWY
ELKO, NV 89801

LOT VARIANCE ELEVATION PLAN

REGISTERED PROFESSIONAL ENGINEER-STATE OF NEVADA
MICHAEL E. SHANKS
6-15-21
CIVIL
No.10385

EX: 6/30/22



PREPARED BY:

SHANKS ENTERPRISES, INC.

982 WOLF CR. DR., SPRING CR., NV 89815
775-934-9356 * shankseng@gmail.com

SCALE: AS SHOWN

REVISION A

JOB NO. XX
XX

REVISIONS REFERENCE		
DESIGNED		MS
DRAWN		MS
CHECKED		MS
APPROVED		
No.	DESCRIPTION	DATE
A	issue for review	6-15-21
B	County Resubmittal	

PREPARED FOR:

APN 001-502-008
1379 LAMOILLE HWY
ELKO, NV 89801

LOT VARIANCE PLAN

REGISTERED PROFESSIONAL ENGINEER STATE OF NEVADA
MICHAEL E. SHANKS
6-15-21
CIVIL
No.10385

EX: 6/30/22

Elko City Planning Commission
Agenda Action Sheet

1. **Review, consideration and possible approval of Final Map No. 4-21, filed by Legion Construction and Development, LLC, for the development of a subdivision entitled Jarbidge Estates involving the proposed division of approximately 2.16 acres of property into 18 lots for townhouse development and 1 common lot within the R (Single Family and Multiple Family Residential) Zoning District, and matters related thereto. FOR POSSIBLE ACTION**

2. Meeting Date: **July 6, 2021**

3. Agenda Category: ***NEW BUSINESS***

4. Time Required: **15 Minutes**

5. Background Information: **Subject property is located on the east side of N 5th Street approximately 450 feet north of Dakota Drive. (APN 001-610-093)**

6. Business Impact Statement: **Not Required**

7. Supplemental Agenda Information: **Application and Staff Report**

8. Recommended 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 3 Chapter 3, and conditionally approve Final Map 4-21 with findings and conditions listed in the Staff Report dated June10, 2021.**

9. Findings: **See Staff Report dated June 10, 2021**

10. Prepared By: **Michele Rambo, AICP, Development Manager**

1. Agenda Distribution: **Legion Construction and Development, LLC**
   Attn: John Smales
   599 Shadybrook Drive
   Spring Creek, NV 89815

   Shanks Engineering
   Attn: Mike Shanks
   982 Wolf Creek Drive
   Spring Creek, NV 89815

STAFF COMMENT FLOW SHEET
PLANNING COMMISSION AGENDA DATE: 7/6

Do not use pencil or red pen, they do not reproduce

Title: Final Map No. 4-21 Jarbidge Estates

Applicant(s): Legion Construction and Development, LLC

Site Location: APN 001-610-093 - NE side of N 5th St, across from Rolling Hills Dr.

Current Zoning: R Date Received: 5/25/21 Date Public Notice: N/A

COMMENT: This is to divide ≈ 2.16 acres into 18 lots for townhouse development and 1 common lot

****If additional space is needed please provide a separate memorandum****

Assistant City Manager: Date: 6/28/21

Recommend approval as presented by Staff

SAW

Initial

City Manager: Date:

Initial

City of Elko
1751 College Avenue
Elko, NV 89801
(775) 777-7160
FAX (775) 777-7119

CITY OF ELKO STAFF REPORT

REPORT DATE:	**June 10, 2021**
PLANNING COMMISSION DATE:	**July 6, 2021**
AGENDA ITEM NUMBER:	**I.B.1**
APPLICATION NUMBER:	**Final Map 4-21**
APPLICANT:	**Legion Construction and Development, LLC**
PROJECT DESCRIPTION:	**Jarbidge Estates**

A Final Map for the division of approximately 2.16 acres into 18 townhouse lots for residential development and 1 common lot within an R (Single-Family and Multiple-Family Residential) zoning district.

STAFF RECOMMENDATION:

RECOMMEND CONDITIONAL APPROVAL, subject to findings of fact, and conditions as stated in this report.

PROJECT INFORMATION

PARCEL NUMBER: 001-610-093

PARCEL SIZE: 2.16 Acres

EXISTING ZONING: (R) Single-Family and Multiple-Family Residential.

MASTER PLAN DESIGNATION: (RES-MD) Residential Medium Density

EXISTING LAND USE: Vacant

BACKGROUND:

1. The Final Map for Jarbidge Estates has been presented before expiration of the subdivision proceedings in accordance with NRS 278.360(1)(a)(2) and City code.
2. The Planning Commission reviewed and recommended a conditional approval to the City Council on the Jarbidge Estates Tentative Map on September 1, 2020.
3. The City Council conditionally approved the Jarbidge Estates Tentative Map on October 13, 2020.
4. The subdivision is located on APN 001-610-093.
5. The proposed subdivision consists of 18 townhouse lots and a common lot to be maintained by a Homeowners Association.
6. The total subdivided area is approximately 2.16 acres.
7. The proposed density is 8.45 units per acre.
8. No land is offered for dedication for street development. Interior circulation is provided via private driveway.
9. Drainage and utility easements are provided along the exterior lot lines.
10. The property is located on the east side of N 5th Street approximately 450 feet north of Dakota Drive.

NEIGHBORHOOD CHARACTERISTICS:

The property is surrounded by:

- North: A (General Agriculture) / Vacant
- South: R (Single and Multiple Residential) / Developed
- East: R (Single and Multiple Residential) / Vacant
- West: R (Single and Multiple Residential) / Developed

PROPERTY CHARACTERISTICS:

- The property is an undeveloped agricultural parcel.
- The site abuts previous residential development to the west, a church to the south, and vacant land to the north and east.
- The parcel has an average slope of 5.2%. The existing slope is incorporated into the design of the common lot where possible.
- The property will be accessed from N 5th Street.

APPLICABLE MASTER PLAN AND CITY CODE SECTIONS:

- City of Elko Master Plan – Land Use Component
- City of Elko Master Plan – Transportation Component
- City of Elko Redevelopment Plan
- City of Elko Wellhead Protection Plan
- City of Elko Zoning – Section 3-3-7 Final Map State (Stage III)
- City of Elko Zoning – Section 3-3-8 Content and Format of Final Map Submittal
- City of Elko Zoning – Section 3-3-9 to 3-3-16 (Inclusive) Subdivision Design Standards
- City of Elko Zoning – Section 3-3-17 to 3-3-22 (Inclusive) Public Improvements/ Guarantees
- City of Elko Zoning – Section 3-2-3, 3-2-4, 3-2-5(E), 3-2-5(G), and 3-2-17 Zoning Code Standards
- City of Elko Zoning – Section 3-8 Flood Plain Management

MASTER PLAN - Land use:

Conformance with the Land Use component of the Master Plan was evaluated with review and approval of the Tentative Map. The Final Map is in conformance with the Tentative Map.

Therefore, the proposed subdivision is in conformance with the Land Use Component of the Master Plan.

MASTER PLAN - Transportation:

Conformance with the Transportation component of the Master Plan was evaluated with review and approval of the Tentative Map. The Final Map is in conformance with the Tentative Map.

Therefore, the proposed subdivision is in conformance with the Transportation Component of the Master Plan.

ELKO REDEVELOPMENT PLAN:

The property is not located within the redevelopment area.

ELKO WELLHEAD PROTECTION PLAN:

The property is not located within a capture zone for any City of Elko wells. Development of the site is required to be connected to a programmed sewer system and all street drainage will be directed to a storm sewer system.

As the project is designed, it does not present a hazard to City wells.

SECTION 3-3-7 FINAL MAP STAGE (STAGE III):

Pre-submission Requirements (C)(1) – The Final Map is in conformance with the zoning requirements.

Pre-submission Requirements (C)(2) – The proposed Final Map conforms to the Tentative Map.

SECTION 3-3-8 CONTENT AND FORMAT OF FINAL MAP SUBMITTAL:

A. Form and Content – The Final Map conforms to the required size specifications and provides the appropriate affidavits and certifications.
B. Identification Data
    1. The Final Map identifies the subdivision and provides its location by section, township, range, and county.
    2. The Final Map was prepared by a properly licensed surveyor.
    3. The Final Map provides a scale, north arrow, and date of preparation.
C. Survey Data
    1. The submitted closure calculations show acceptable closure errors.
    2. Any exceptions are noted on the Final Map.
    3. The Final Map is tied to a section corner.
    4. The location and description of any physical encroachments upon the boundary of the subdivision are noted on the Final Map.
D. Descriptive Data
    1. The name, right-of-way lines, courses, lengths, and widths of all streets and easements are noted on the Final Map.
    2. All drainage ways are noted on the Final Map.
    3. All utility and public service easements are noted on the Final Map.
    4. The location and dimensions of all lots, parcels, and exceptions are shown on the Final Map.
    5. All residential lots are numbered consecutively on the Final Map.
    6. There are no sites dedicated to the public shown on the Final Map.
    7. The locations of adjoining subdivisions are noted on the Final Map with required information.
    8. CC&Rs are proposed for this development and have been submitted to the City.
E. Dedication and Acknowledgment
    1. The owner's certificate has the required dedication information for all easements and right-of-ways.
    2. The execution of dedication is acknowledged with space to be certified by a notary public.
F. Additional Information
    1. All centerline monuments for streets are noted as being set on the Final Map.
    2. The centerline and width of each right-of-way is noted on the Final Map.
    3. The Final Map indicates the location of monuments that will be set to determine the boundaries of the subdivision.
    4. The length and bearing of each lot line is identified on the Final Map.
    5. The Final Map is not located adjacent to a city boundary.
    6. The Final Map identifies the location of the section lines nearest the property.
G. City to Check
    1. Closure calculations have been provided. Civil improvement plans have been approved. Drainage plans have been approved. An engineer's estimate has been provided.
    2. Lot closures are within the required tolerances.

H. Required Certifications
   1. The Owner's Certificate is shown on the Final Map.
   2. The Owner's Certificate offers for dedication all right-of-ways shown on the Final Map.
   3. A Clerk Certificate is shown on the Final Map, certifying the signature of the City Council.
   4. The Owner's Certificate offers for dedication all easements shown on the Final Map.
   5. A Surveyor's Certificate is shown on the Final Map and provides the required language.
   6. The City Engineer's Certificate is shown on the Final Map.
   7. A certificate from the Nevada Division of Environmental Protection is provided with the required language.
   8. The engineer of record has submitted the Tentative Map and construction plans to the state, but no written approval has been received.
   9. A certificate from the Division of Water Resources is provided on the Final Map with the required language.
   10. The construction plans identify the required water meters for the subdivision.

SECTION 3-3-9 THROUGH 3-3-16 (INCLUSIVE)

The proposed subdivision was evaluated for conformance to the referenced sections of code during the Tentative Map process.

The proposed development conforms with these sections of City code.

SECTION 3-3-17 RESPONSIBILITY FOR PUBLIC IMPROVEMENTS

The subdivider shall be responsible for all required improvements in conformance with this section of City code.

SECTION 3-3-18 CONSTRUCTION PLANS

The subdivider has submitted plans to the city and state agencies for review to receive all required permits in accordance with this section of City code. The plans have been approved by City staff.

SECTION 3-3-19 CONSTRUCTION AND INSPECTION

The subdivider has submitted plans to the city and state agencies for review to receive all permits in accordance with this section of City code.

SECTION 3-3-20 REQUIRED IMPROVEMENTS

The subdivider has submitted civil improvement plans which are in conformance with this section of City code.

Civil improvements include curb, gutter, and sidewalk as well as lighting, USPS gang boxes, paving, and utilities.

SECTION 3-3-21 AGREEMENT TO INSTALL IMPROVEMENTS

The subdivider will be required to enter into a Performance Agreement to conform to this section of City code.

SECTION 3-3-22 PERFORMANCE AND MAINTENANCE GUARANTEES

The subdivider will be required to provide a Performance and Maintenance Guarantee as stipulated in the Performance Agreement in conformance with this section of City code.

SECTIONS 3-2-3, 3-2-4, 3-2-5(E), 3-2-5(G), AND 3-2-17

The proposed subdivision was evaluated for conformance to the referenced sections of code during the Tentative Map process.

The proposed development conforms with these sections of City code.

SECTION 3-8 FLOODPLAIN MANAGEMENT:

This parcel is not designated in a Special Flood Hazard Area (SFHA).

FINDINGS

1. The Final Map for Jarbidge Estates has been presented before expiration of the subdivision proceedings in accordance with NRS 278.360(1)(a)(2) and City code.

2. The Final Map is in conformance with the Tentative Map.

3. The proposed subdivision is in conformance with the Land Use and Transportation Components of the Master Plan.

4. The proposed development conforms with Sections 3-3-9 through 3-3-16 (inclusive).

5. The Subdivider shall be responsible for all required improvements in conformance with Section 3-3-17 of City code.

6. The Subdivider has submitted construction plans in conformance with Section 3-3-18 of City code.

7. The Subdivider has submitted plans to the city and state agencies for review to receive all required permits in accordance with the requirements of Section 3-3-19 of City code.

8. 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.

9. The Subdivider will be required to enter into a Performance Agreement to conform to Section 3-3-21 of City code.

10. 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.

11. 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.

STAFF RECOMMENDATION/CONDITIONS OF APPROVAL:

Staff recommends this item be **conditionally approved** with the following conditions:

Development Department:

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 Jarbidge Estates is approved for 18 townhouse lots and 1 common 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.

11. All slopes greater than 3:1 shall be permanently stabilized prior to acceptance of any public improvements by the City Council.

Engineering Department:

12. Remove the City of Elko from the utility company certificate prior to City Council consideration.

13. The area for Lot 19, the common lot, is different on the map from the closure calculations. Please revise prior to City Council consideration.

14. Label lot areas to the nearest whole square foot prior to City Council consideration.

15. A monument of some sort is required at all lot corners. Please label prior to City Council consideration.

Planning Department:

16. Add parcel number to the existing easement label on the far right of the map prior to City Council consideration.

Public Works Department:

17. All public improvements to be constructed per City of Elko code at time of development.

CITY OF ELKO
Planning Department

Website: www.elkocity.com
Email: planning@elkocitynv.gov

1751 College Avenue · Elko, Nevada 89801 · (775) 777-7160 · Fax (775) 777-7219

June 29, 2021

Legion Construction and Development, LLC
Attn: John Smales
599 Shadybrook Drive
Spring Creek, NV 89815
Via Email: johns.builder@gmail.com

Re: Final Map No. 04-21

Dear Applicant/Agent:

Enclosed is a copy of the agenda for an upcoming Planning Commission meeting. Highlighted on the agenda is the item or items that you have requested to be acted on at the meeting. Also enclosed is pertinent information pertaining to your request. Please review this information before the meeting.

The Planning Commission requests that you, or a duly appointed representative, be in attendance at this meeting to address the Planning Commission. If you will not be able to attend the meeting but wish to have a representative present, please submit a letter to the Planning Commission authorizing this person to represent you at the meeting.

To participate in the virtual meeting on a computer, laptop, tablet, or smart phone go to: https://global.gotomeeting.com/join/114164549. You can also dial in using your phone at **+1 (224) 501-3412.** The **Access Code** for this meeting is **114-164-549.**

If you have any questions regarding this meeting, the information you received, or if you will not be able to attend this meeting, please call me at your earliest convenience at (775) 777-7160.

Sincerely,

Shelby Knopp

Shelby Knopp
Planning Technician

Enclosures

CC: Shanks Engineering, Attn: Mike Shanks, 982 Wolf Creek Drive, Spring Creek, NV 89815
Via Email: shankseng@gmail.com

City of Elko – Development Department
1755 College Avenue
Elko, NV 89801
Telephone: 775.777.7210
Facsimile: 775.777.7219

May 26, 2021

Shanks Enterprises
Attn: Michael Shanks
982 Wolf Creek Drive
Spring Creek, NV 89815

Re: Jarbidge Estates Final Map – Complete Submittal

Dear Mr. Shanks:

The City of Elko has reviewed your Final Map application materials for Jarbidge Estates (submitted May 25, 2021) and has found them to be complete. We will now begin processing your application by transmitting the materials to other City departments for their review. You may receive further comments or corrections as these reviews progress. Barring any complications, this Final Map will be scheduled for Planning Commission on July 6, 2021 and City Council on July 13, 2021.

I will keep you updated on the status of your application, but please feel free to contact me at (775) 777-7217 if you have any questions.

Sincerely,

Michele Rambo

Michele Rambo, AICP
Development Manager
mrambo@elkocitynv.gov

CC: Legion Construction and Development, LLC
Attn: John Smales
427 Wong Way
Spring Creek, NV 89815

City of Elko – File

Shanks Enterprises Inc.

RECEIVED
MAY 25 2021

May 25, 2021

City of Elko
1751 College Avenue
Elko, Nevada 89801

RE: Jarbidge Estates Subdivision – N. 5th Street
Final Plat Submittal

To whom this may concern,

Please see the enclosed documents in regard to the Final Plat Submittal for the Jarbidge Estates Subdivision on N. 5th Street.

1) Application for Final Plat Approval
2) Final Plat
3) Final Plat Lot Calculations
4) Jarbidge Estates – Town home Subdivision Site Construction Drawings
5) Supplementary Drawings
    a. SWPP
    b. Town Home Elevations
    c. Town Home Floor Plan
6) Engineering Estimate of Public Improvements
7) Jarbidge Estates Hydrology Report
8) Jarbidge Estates Geotechnical Investigation Report
9) Declaration of Covenants, Conditions, and Restrictions for Jarbidge Estates
10) SWPP Package

An electronic submittal of the above items was also sent via email.

Please do not hesitate to call or email us with any questions.

Sincerely,

Michael Shanks, P.E.
Shanks Enterprises

982 Wolf Cr. Dr., * Spring Creek, Nevada 89801 * 775.934.9356 * shankseng@gmail.com

CITY OF ELKO PLANNING DEPARTMENT

1751 College Avenue * Elko * Nevada * 89801

(775) 777-7160 * (775) 777-7219 fax

RECEIVED

MAY 25 2021

APPLICATION FOR FINAL PLAT APPROVAL

APPLICANT(s): Legion Construction and Development LLC
MAILING ADDRESS: 427 Wong Way, Spring Cr., NV 89815
PHONE NO (Home) 775-778-1539 **(Business)**
NAME OF PROPERTY OWNER (If different):
(Property owner consent in writing must be provided)
MAILING ADDRESS:
LEGAL DESCRIPTION AND LOCATION OF PROPERTY INVOLVED (Attach if necessary):
ASSESSOR'S PARCEL NO.: 001-610-013 **Address**
Lot(s), Block(s), &Subdivision
Or Parcel(s) & File No.
PROJECT DESCRIPTION OR PURPOSE: 18 lot single family residential town home subdivision
APPLICANT'S REPRESENTATIVE OR ENGINEER: Micheal Shanks

FILING REQUIREMENTS:

Complete Application Form: In order to begin processing the application, an application form must be complete and signed. *Complete* applications are due at least 21 days prior to the next scheduled meeting of the Elko City Planning Commission (meetings are the 1st Tuesday of every month), and must include the following:

1. One .pdf of the entire application, and ten (10) 24" x 36" copies of the final plat folded to a size not to exceed 9"x12" provided by a properly licensed surveyor, as well as one (1) set of reproducible plans 8 ½" x 11" in size and any required supporting data, prepared in accordance with Section 3-3-8 of Elko City Code (see attached checklist).
2. Pre-Submission Requirements:
   a. The final plat shall meet all requirements of the zoning district in which located, and any necessary zoning amendment shall have been adopted by the Elko City Council prior to filing of the final plat.
   b. The final plat shall conform closely to the approved preliminary plat and be prepared in accordance with the provisions of the City Subdivision Ordinance.
   c. The final plat submittal shall include a letter signifying approval of utility easements by all public utilities involved, and shall be so indicated by an affidavit on the map.
   d. A complete set of construction plans for all public improvements associated with the final plat shall have been approved or substantially approved by the City Engineer.

Fee: $750.00 + $25.00 per lot including remainder parcels; non-refundable.

Other Information: The applicant is encouraged to submit other information and documentation to support the request.

Final Plat Checklist as per Elko City Code 3-3-8

Identification Data	
✓	Subdivision Name
✓	Location and Section, Township and Range
✓	Name, address and phone number of subdivider
✓	Name, address and phone number of engineer/surveyor
✓	Scale, North Point and Date of Preparation
✓	Location maps
Survey Data (Required)	
✓	Boundaries of the Tract fully balanced and closed
✓	Any exception within the plat boundaries
✓	The subdivision is to be tied to a section corner
✓	Location and description of all physical encroachments
Descriptive Data	
✓	Street Layout, location, widths, easements
✓	All drainageways, designated as such
✓	All utility and public service easements
✓	Location and dimensions of all lots, parcels
✓	Residential Lots shall be numbered consecutively
✓	All sites to be dedicated to the public and proposed use
✓	Location of all adjoining subdivisions with name date, book and page
✓	Any private deed restrictions to be imposed upon the plat
Dedication and Acknowledgment	
✓	Statement of dedication for items to be dedicated
✓	Execution of dedication ackowledged by a notary public
Additional Information	
✓	Street CL, and Monuments identified
✓	Street CL and width shown on map
✓	Location of mounuments used to determine boudaries
✓	Each city boundary line crossing or adjoing the subdivision
✓	Section lines crossing the subdivision boundaries
City Engineer to Check	
✓	Closure report for each of the lots
✓	Civil Improvement plans
✓	Estimate of quantities required to complete the improvements
Required Certifications	
✓	All parties having record title in the land to be subdivided
✓	Offering for dedication
✓	Clerk of each approving governing body
✓	Easements
✓	Surveyor's Certificate
✓	City Engineer
✓	State Health division
✓	State Engineer
✓	Division of Water Resources
✓	City Council

By My Signature below:

☑ I consent to having the City of Elko Staff enter on my property for the sole purpose of inspection of said property as part of this application process.

☑ I object to having the City of Elko Staff enter onto my property as a part of their review of this application. (Your objection will not affect the recommendation made by the staff or the final determination made by the City Planning Commission or the City Council.)

☑ I acknowledge that submission of this application does not imply approval of this request by the City Planning Department, the City Planning Commission and the City Council, nor does it in and of itself guarantee issuance of any other required permits and/or licenses.

☑ I acknowledge that this application may be tabled until a later meeting if either I or my designated representative or agent is not present at the meeting for which this application is scheduled.

☑ I acknowledge that, if approved, I must provide an AutoCAD file containing the final subdivision layout on NAD 83 NV East Zone Coordinate System to the City Engineering Department when requesting final map signatures for recording.

☑ I have carefully read and completed all questions contained within this application to the best of my ability.

Applicant / Agent John Smales
(Please print or type)

Mailing Address 427 wongway
Street Address or P.O. Box

Spring creek, NV, 89815
City, State, Zip Code

Phone Number: 775-778-1539

Email address: johns.builder@gmail.com

SIGNATURE: Smales

FOR OFFICE USE ONLY 18 lots + Common area = 19 x $25 = $475
+750
$1,225

File No.: 4-21 **Date Filed:** 5/25/21 **Fee Paid:** $1,225 CK# 3016

Parcel Map Check Report

Client:
Jarbidge Townhouse

Prepared by:
Civil 3d
Apex Surveying LLC

Date: 6/7/2021 8:30:36 AM

Parcel Name: lot - Standard : 1
Description:
Process segment order counterclockwise: False
Enable mapcheck across chord: False

North:28,478,350.2753'	East:599,693.5244'

Segment# 1: Line

Course: N87° 40' 54.46"W	Length: 27.180'
North: 28,478,351.3747'	East: 599,666.3667'

Segment# 2: Line

Course: N2° 19' 05.54"E	Length: 77.000'
North: 28,478,428.3117'	East: 599,669.4813'

Segment# 3: Line

Course: S87° 40' 54.46"E	Length: 27.180'
North: 28,478,427.2123'	East: 599,696.6390'

Segment# 4: Line

Course: S2° 19' 05.54"W	Length: 77.000'
North: 28,478,350.2753'	East: 599,693.5244'

Perimeter: 208.360'	Area: 2,092.86Sq.Ft.
Error Closure: 0.0000	Course: N0° 00' 00.00"E
Error North : 0.00000	East: 0.00000

Precision 1: 208,360,000.000

Parcel Name: lot - Standard : 10
Description:
Process segment order counterclockwise: False
Enable mapcheck across chord: False

North:28,478,236.9169'	East:599,857.0007'

Segment# 1: Line

Course: N47° 07' 28.00"W	Length: 77.000'
North: 28,478,289.3084'	East: 599,800.5725'

Segment# 2: Line

Course: N42° 52' 32.00"E	Length: 27.375'
North: 28,478,309.3697'	East: 599,819.1987'

Segment# 3: Line

Course: S47° 07' 28.00"E	Length: 77.000'
North: 28,478,256.9782'	East: 599,875.6269'

Segment# 4: Line

Course: S42° 52' 32.00"W	Length: 27.375'
North: 28,478,236.9169'	East: 599,857.0007'

Perimeter: 208.750'	Area: 2,107.87Sq.Ft.
Error Closure: 0.0000	Course: N0° 00' 00.00"E
Error North : 0.00000	East: 0.00000

Precision 1: 208,750,000.000

Parcel Name: lot - Standard : 11
Description:
Process segment order counterclockwise: False
Enable mapcheck across chord: False

North:28,478,216.9985'	East:599,838.5072'

Segment# 1: Line

Course: N47° 07' 28.00"W	Length: 77.000'
North: 28,478,269.3899'	East: 599,782.0790'

Segment# 2: Line

Course: N42° 52' 32.00"E	Length: 27.180'
North: 28,478,289.3084'	East: 599,800.5725'

Segment# 3: Line

Course: S47° 07' 28.00"E	Length: 77.000'
North: 28,478,236.9169'	East: 599,857.0007'

Segment# 4: Line

Course: S42° 52' 32.00"W	Length: 27.180'
North: 28,478,216.9985'	East: 599,838.5072'

Perimeter: 208.360'	Area: 2,092.86Sq.Ft.
Error Closure: 0.0000	Course: N0° 00' 00.00"E
Error North : 0.00000	East: 0.00000

Precision 1: 208,360,000.000

Parcel Name: lot - Standard : 12
Description:
Process segment order counterclockwise: False
Enable mapcheck across chord: False

North:28,478,173.3520'	East:599,797.9830'

Segment# 1: Line

Course: N47° 07' 28.00"W	Length: 77.000'
North: 28,478,225.7434'	East: 599,741.5549'

Segment# 2: Line

Course: N42° 52' 32.00"E	Length: 27.180'
North: 28,478,245.6618'	East: 599,760.0484'

Segment# 3: Line

Course: S47° 07' 28.00"E	Length: 77.000'
North: 28,478,193.2704'	East: 599,816.4765'

Segment# 4: Line

Course: S42° 52' 32.00"W	Length: 27.180'
North: 28,478,173.3520'	East: 599,797.9830'

Perimeter: 208.360'	Area: 2,092.86Sq.Ft.
Error Closure: 0.0000	Course: N0° 00' 00.00"E
Error North : 0.00000	East: 0.00000

Precision 1: 208,360,000.000

Parcel Name: lot - Standard : 13
Description:
Process segment order counterclockwise: False
Enable mapcheck across chord: False

North:28,478,153.3090'	East:599,779.3739'

Segment# 1: Line

Course: N47° 07' 28.00"W Length: 77.000'
North: 28,478,205.7004' East: 599,722.9457'

Segment# 2: Line
Course: N42° 52' 32.00"E Length: 27.350'
North: 28,478,225.7434' East: 599,741.5549'

Segment# 3: Line
Course: S47° 07' 28.00"E Length: 77.000'
North: 28,478,173.3520' East: 599,797.9830'

Segment# 4: Line
Course: S42° 52' 32.00"W Length: 27.350'
North: 28,478,153.3090' East: 599,779.3739'

Perimeter: 208.700' Area: 2,105.95Sq.Ft.
Error Closure: 0.0000 Course: N0° 00' 00.00"E
Error North : 0.00000 East: 0.00000

Precision 1: 208,700,000.000

Parcel Name: lot - Standard : 14
Description:
Process segment order counterclockwise: False
Enable mapcheck across chord: False
North:28,478,133.2660' East:599,760.7647'

Segment# 1: Line
Course: N47° 07' 28.00"W Length: 77.000'
North: 28,478,185.6574' East: 599,704.3365'

Segment# 2: Line
Course: N42° 52' 32.00"E Length: 27.350'
North: 28,478,205.7004' East: 599,722.9457'

Segment# 3: Line
Course: S47° 07' 28.00"E Length: 77.000'
North: 28,478,153.3090' East: 599,779.3739'

Segment# 4: Line
Course: S42° 52' 32.00"W Length: 27.350'
North: 28,478,133.2660' East: 599,760.7647'

Perimeter: 208.700' Area: 2,105.95Sq.Ft.
Error Closure: 0.0000 Course: N0° 00' 00.00"E
Error North : 0.00000 East: 0.00000

Precision 1: 208,700,000.000

Parcel Name: lot - Standard : 15
Description:
Process segment order counterclockwise: False
Enable mapcheck across chord: False
North:28,478,113.3476' East:599,742.2712'

Segment# 1: Line
Course: N47° 07' 28.00"W Length: 77.000'
North: 28,478,165.7390' East: 599,685.8430'

Segment# 2: Line
Course: N42° 52' 32.00"E Length: 27.180'
North: 28,478,185.6574' East: 599,704.3365'

Segment# 3: Line

Segment# 3: Line
Course: S47° 07' 28.00"E Length: 77.000'
North: 28,478,133.2660' East: 599,760.7647'

Segment# 4: Line
Course: S42° 52' 32.00"W Length: 27.180'
North: 28,478,113.3476' East: 599,742.2712'

Perimeter: 208.360' Area: 2,092.86Sq.Ft.
Error Closure: 0.0000 Course: N0° 00' 00.00"E
Error North : 0.00000 East: 0.00000

Precision 1: 208,360,000.000

Parcel Name: lot - Standard : 16
Description:
Process segment order counterclockwise: False
Enable mapcheck across chord: False
North:28,478,242.5279' East:599,713.4725'

Segment# 1: Line
Course: N47° 07' 28.00"W Length: 77.000'
North: 28,478,294.9193' East: 599,657.0443'

Segment# 2: Line
Course: N42° 52' 32.00"E Length: 27.180'
North: 28,478,314.8377' East: 599,675.5378'

Segment# 3: Line
Course: S47° 07' 28.00"E Length: 77.000'
North: 28,478,262.4463' East: 599,731.9659'

Segment# 4: Line
Course: S42° 52' 32.00"W Length: 27.180'
North: 28,478,242.5279' East: 599,713.4725'

Perimeter: 208.360' Area: 2,092.86Sq.Ft.
Error Closure: 0.0000 Course: N0° 00' 00.00"E
Error North : 0.00000 East: 0.00000

Precision 1: 208,360,000.000

Parcel Name: lot - Standard : 17
Description:
Process segment order counterclockwise: False
Enable mapcheck across chord: False
North:28,478,222.4849' East:599,694.8633'

Segment# 1: Line
Course: N47° 07' 28.00"W Length: 77.000'
North: 28,478,274.8763' East: 599,638.4351'

Segment# 2: Line
Course: N42° 52' 32.00"E Length: 27.350'
North: 28,478,294.9193' East: 599,657.0443'

Segment# 3: Line
Course: S47° 07' 28.00"E Length: 77.000'
North: 28,478,242.5279' East: 599,713.4725'

Segment# 4: Line
Course: S42° 52' 32.00"W Length: 27.350'
North: 28,478,222.4849' East: 599,694.8633'

Perimeter: 208.700' Area: 2,105.95Sq.Ft.
Error Closure: 0.0000 Course: N0° 00' 00.00"E
Error North : 0.00000 East: 0.00000

Precision 1: 208,700,000.000

Parcel Name: lot - Standard : 18
Description:
Process segment order counterclockwise: False
Enable mapcheck across chord: False
North:28,478,202.1121' East:599,675.9479'

Segment# 1: Line
Course: N47° 07' 28.00"W Length: 77.000'
North: 28,478,254.5036' East: 599,619.5198'

Segment# 2: Line
Course: N42° 52' 32.00"E Length: 27.800'
North: 28,478,274.8763' East: 599,638.4351'

Segment# 3: Line
Course: S47° 07' 28.00"E Length: 77.000'
North: 28,478,222.4849' East: 599,694.8633'

Segment# 4: Line
Course: S42° 52' 32.00"W Length: 27.800'
North: 28,478,202.1121' East: 599,675.9479'

Perimeter: 209.600' Area: 2,140.60Sq.Ft.
Error Closure: 0.0000 Course: N0° 00' 00.00"E
Error North : 0.00000 East: 0.00000

Precision 1: 209,600,000.000

Parcel Name: lot - Standard : 19
Description:
Process segment order counterclockwise: False
Enable mapcheck across chord: False
North:28,478,288.5915' East:599,548.0601'

Segment# 1: Line
Course: N50° 03' 00.01"E Length: 126.459'
North: 28,478,369.7932' East: 599,645.0042'

Segment# 2: Line
Course: N8° 33' 25.00"W Length: 85.610'
North: 28,478,454.4502' East: 599,632.2661'

Segment# 3: Line
Course: S84° 27' 44.00"E Length: 405.880'
North: 28,478,415.2820' East: 600,036.2517'

Segment# 4: Line
Course: S42° 52' 32.00"W Length: 472.410'
North: 28,478,069.0842' East: 599,714.8201'

Segment# 5: Line
Course: N36° 01' 25.00"W Length: 107.150'
North: 28,478,155.7445' East: 599,651.8032'

Segment# 6: Curve
Length: 168.589' Radius: 2,460.000'
Delta: 3°55'36" Tangent: 84.327'

Chord: 168.556' Course: N37° 59' 12.86"W
Course In: S53° 58' 35.00"W Course Out: N50° 02' 59.27"E
RP North: 28,476,708.9727' East: 597,662.2174'
End North: 28,478,288.5918' East: 599,548.0603'

Perimeter: 3,290.314' Area: 56,075.08Sq.Ft.
Error Closure: 0.0004 Course: N41° 47' 30.83"E
Error North : 0.00029 East: 0.00026

Precision 1: 3,415,245.000

Parcel Name: lot - Standard : 2
Description:
Process segment order counterclockwise: False
Enable mapcheck across chord: False
North:28,478,349.1690' East:599,720.8520'

Segment# 1: Line
Course: N87° 40' 54.46"W Length: 27.350'
North: 28,478,350.2753' East: 599,693.5244'

Segment# 2: Line
Course: N2° 19' 05.54"E Length: 77.000'
North: 28,478,427.2123' East: 599,696.6390'

Segment# 3: Line
Course: S87° 40' 54.46"E Length: 27.350'
North: 28,478,426.1060' East: 599,723.9666'

Segment# 4: Line
Course: S2° 19' 05.54"W Length: 77.000'
North: 28,478,349.1690' East: 599,720.8520'

Perimeter: 208.700' Area: 2,105.95Sq.Ft.
Error Closure: 0.0000 Course: N0° 00' 00.00"E
Error North : 0.00000 East: 0.00000

Precision 1: 208,700,000.000

Parcel Name: lot - Standard : 3
Description:
Process segment order counterclockwise: False
Enable mapcheck across chord: False
North:28,478,349.1690' East:599,720.8520'

Segment# 1: Line
Course: N2° 19' 05.54"E Length: 77.000'
North: 28,478,426.1060' East: 599,723.9666'

Segment# 2: Line
Course: S87° 40' 54.46"E Length: 27.180'
North: 28,478,425.0066' East: 599,751.1244'

Segment# 3: Line
Course: S2° 19' 05.54"W Length: 77.000'
North: 28,478,348.0696' East: 599,748.0098'

Segment# 4: Line
Course: N87° 40' 54.46"W Length: 27.180'
North: 28,478,349.1690' East: 599,720.8520'

Perimeter: 208.360' Area: 2,092.86Sq.Ft.
Error Closure: 0.0000 Course: N0° 00' 00.00"E

Error North : 0.00000 East: 0.00000

Precision 1: 208,360,000.000

Parcel Name: lot - Standard : 4
Description:
Process segment order counterclockwise: False
Enable mapcheck across chord: False
North:28,478,346.5657' East:599,785.1594'

Segment# 1: Line
Course: N87° 40' 54.46"W Length: 27.180'
North: 28,478,347.6651' East: 599,758.0016'

Segment# 2: Line
Course: N2° 19' 05.54"E Length: 77.000'
North: 28,478,424.6021' East: 599,761.1162'

Segment# 3: Line
Course: S87° 40' 54.46"E Length: 27.180'
North: 28,478,423.5027' East: 599,788.2740'

Segment# 4: Line
Course: S2° 19' 05.54"W Length: 77.000'
North: 28,478,346.5657' East: 599,785.1594'

Perimeter: 208.360' Area: 2,092.86Sq.Ft.
Error Closure: 0.0000 Course: N0° 00' 00.00"E
Error North : 0.00000 East: 0.00000

Precision 1: 208,360,000.000

Parcel Name: lot - Standard : 5
Description:
Process segment order counterclockwise: False
Enable mapcheck across chord: False
North:28,478,346.5657' East:599,785.1594'

Segment# 1: Line
Course: N2° 19' 05.54"E Length: 77.000'
North: 28,478,423.5027' East: 599,788.2740'

Segment# 2: Line
Course: S87° 40' 54.46"E Length: 27.180'
North: 28,478,422.4033' East: 599,815.4317'

Segment# 3: Line
Course: S2° 19' 05.54"W Length: 77.000'
North: 28,478,345.4663' East: 599,812.3171'

Segment# 4: Line
Course: N87° 40' 54.46"W Length: 27.180'
North: 28,478,346.5657' East: 599,785.1594'

Perimeter: 208.360' Area: 2,092.86Sq.Ft.
Error Closure: 0.0000 Course: N0° 00' 00.00"E
Error North : 0.00000 East: 0.00000

Precision 1: 208,360,000.000

Parcel Name: lot - Standard : 6
Description:
Process segment order counterclockwise: False

Enable mapcheck across chord: False

North:28,478,343.9624' East:599,849.4667'

Segment# 1: Line

Course: N87° 40' 54.46"W Length: 27.180'

North: 28,478,345.0618' East: 599,822.3089'

Segment# 2: Line

Course: N2° 19' 05.54"E Length: 77.000'

North: 28,478,421.9988' East: 599,825.4235'

Segment# 3: Line

Course: S87° 40' 54.46"E Length: 27.180'

North: 28,478,420.8994' East: 599,852.5813'

Segment# 4: Line

Course: S2° 19' 05.54"W Length: 77.000'

North: 28,478,343.9624' East: 599,849.4667'

Perimeter: 208.360' Area: 2,092.86Sq.Ft.

Error Closure: 0.0000 Course: N0° 00' 00.00"E

Error North : 0.00000 East: 0.00000

Precision 1: 208,360,000.000

Parcel Name: lot - Standard : 7

Description:

Process segment order counterclockwise: False

Enable mapcheck across chord: False

North:28,478,342.8561' East:599,876.7943'

Segment# 1: Line

Course: N87° 40' 54.46"W Length: 27.350'

North: 28,478,343.9624' East: 599,849.4667'

Segment# 2: Line

Course: N2° 19' 05.54"E Length: 77.000'

North: 28,478,420.8994' East: 599,852.5813'

Segment# 3: Line

Course: S87° 40' 54.46"E Length: 27.350'

North: 28,478,419.7931' East: 599,879.9089'

Segment# 4: Line

Course: S2° 19' 05.54"W Length: 77.000'

North: 28,478,342.8561' East: 599,876.7943'

Perimeter: 208.700' Area: 2,105.95Sq.Ft.

Error Closure: 0.0000 Course: N0° 00' 00.00"E

Error North : 0.00000 East: 0.00000

Precision 1: 208,700,000.000

Parcel Name: lot - Standard : 8

Description:

Process segment order counterclockwise: False

Enable mapcheck across chord: False

North:28,478,342.8561' East:599,876.7943'

Segment# 1: Line

Course: N2° 19' 05.54"E Length: 77.000'

North: 28,478,419.7931' East: 599,879.9089'

Segment# 2: Line

Segment# 2: Line
Course: S85° 42' 37.07"E Length: 27.196'
North: 28,478,417.7588' East: 599,907.0287'

Segment# 3: Line
Course: S2° 19' 05.54"W Length: 76.064'
North: 28,478,341.7571' East: 599,903.9520'

Segment# 4: Line
Course: N87° 40' 54.46"W Length: 27.180'
North: 28,478,342.8565' East: 599,876.7942'

Perimeter: 207.440' Area: 2,080.15Sq.Ft.
Error Closure: 0.0004 Course: N11° 40' 37.80"W
Error North : 0.00040 East: -0.00008

Precision 1: 518,600.000

Parcel Name: lot - Standard : 9
Description:
Process segment order counterclockwise: False
Enable mapcheck across chord: False
North:28,478,256.9782' East:599,875.6269'

Segment# 1: Line
Course: N47° 07' 28.00"W Length: 77.000'
North: 28,478,309.3697' East: 599,819.1987'

Segment# 2: Line
Course: N42° 52' 32.00"E Length: 10.252'
North: 28,478,316.8827' East: 599,826.1742'

Segment# 3: Line
Course: S87° 40' 54.46"E Length: 26.035'
North: 28,478,315.8296' East: 599,852.1879'

Segment# 4: Line
Course: S47° 07' 28.00"E Length: 23.310'
North: 28,478,299.9693' East: 599,869.2703'

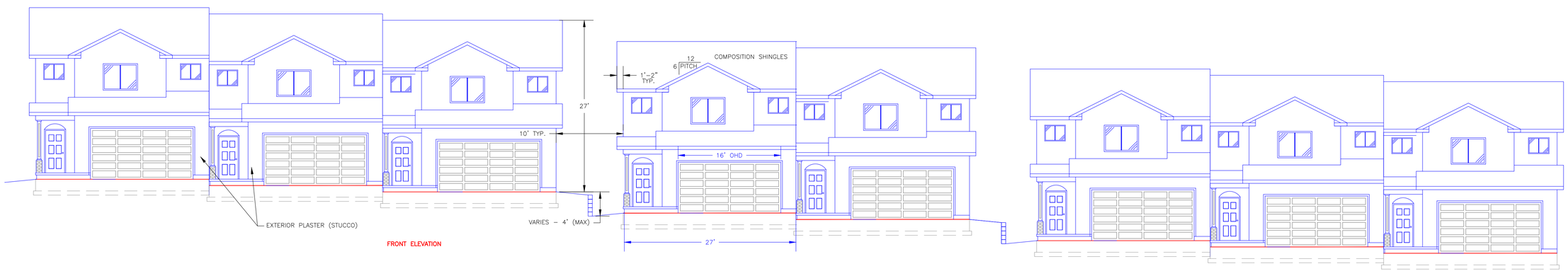
Segment# 5: Line
Course: N42° 52' 32.00"E Length: 15.000'
North: 28,478,310.9618' East: 599,879.4764'

Segment# 6: Line
Course: S47° 07' 28.00"E Length: 33.909'
North: 28,478,287.8898' East: 599,904.3261'

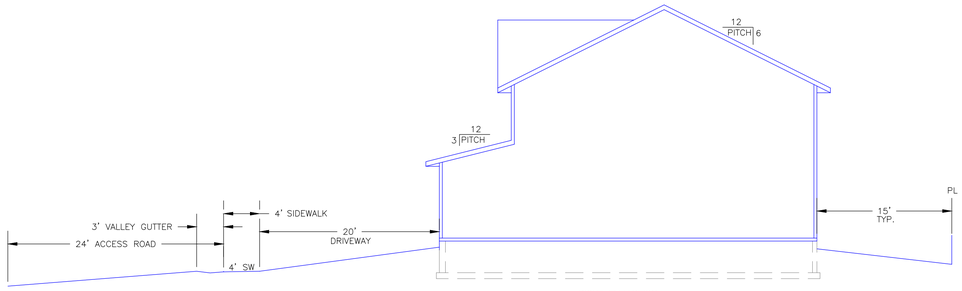
Segment# 7: Line
Course: S42° 52' 32.00"W Length: 42.180'
North: 28,478,256.9789' East: 599,875.6264'

Perimeter: 227.686' Area: 2,434.07Sq.Ft.
Error Closure: 0.0008 Course: N33° 21' 42.66"W
Error North : 0.00066 East: -0.00043

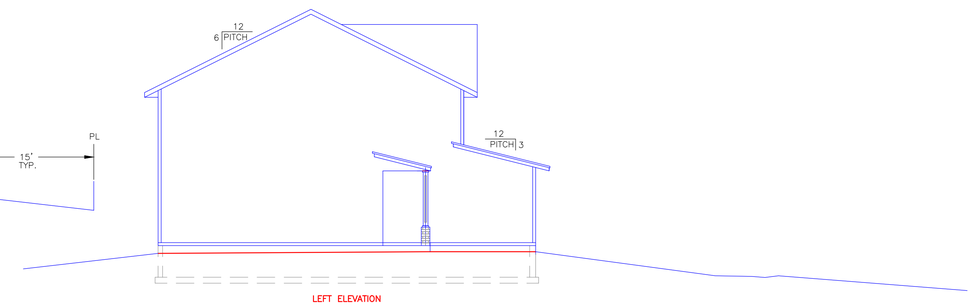
Precision 1: 284,607.500



FRONT ELEVATION



RIGHT ELEEVATION



LEFT ELEVATION

REGISTERED PROFESSIONAL ENGINEER
MICHAEL E. SHANKS
5/24/21
CIVIL
Reg No.10385 STATE OF NEVADA

EXPIRES: 6/30/22

PREPARED BY:
Shanks Enterprises
982 WOLF CR. DR.
SPRING CREEK, NEVADA 89815
775-934-9356
shankseng@gmail.com

REVISIONS No.	DESCRIPTION	BY	DATE
A	ISSUE FOR REVIEW	MES	5/24/21

REFERENCE		
DESIGNED	MES	5/24/21
DRAWN	MES	5/24/21
CHECKED	MES	5/24/21
APPROVED		
APPROVED		

PREPARED FOR:
LEGION CONS. AND DEVEL., LLC
427 WONG WAY
SPRING CREEK, NEVADA

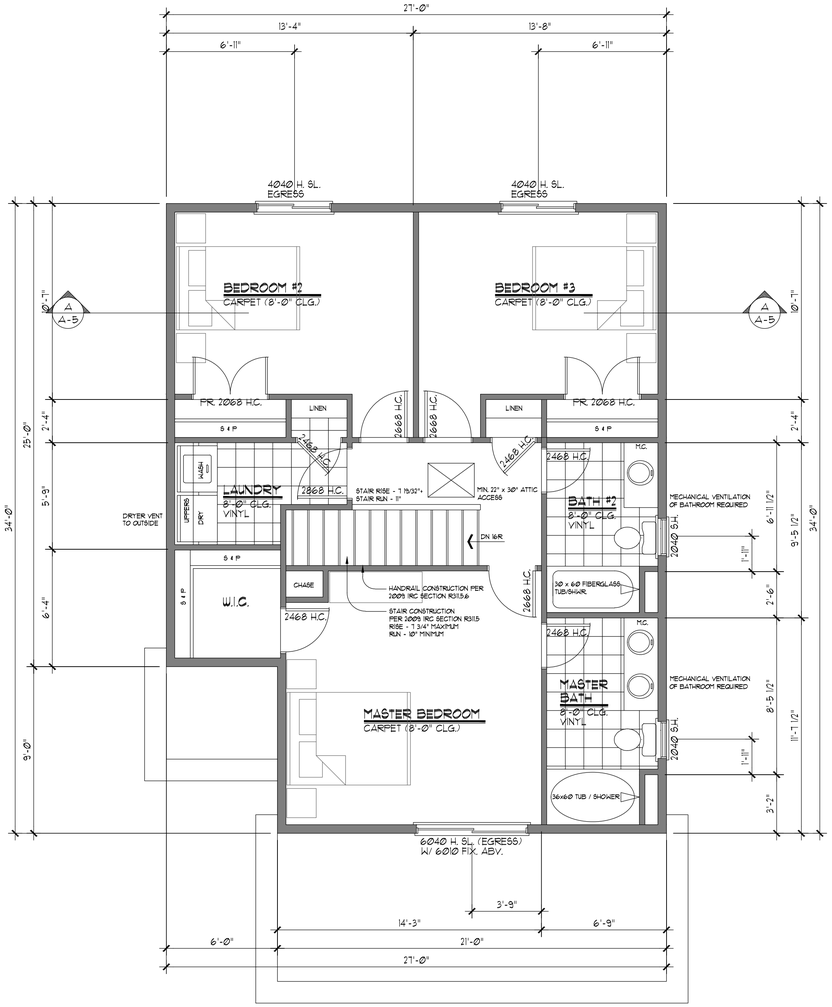
DRAWING NO.
2002160

SCALE: AS SHOWN
PROJECT No.: 2002160
DRAWING NAME: N5TH TOWN HOME SBD

A REVISION

TITLE:
JARBIDGE ESTATES
TOWN HOME SUBDIVISION
TOWN HOME CONCEPTURAL DWGS.
ELEVATIONS

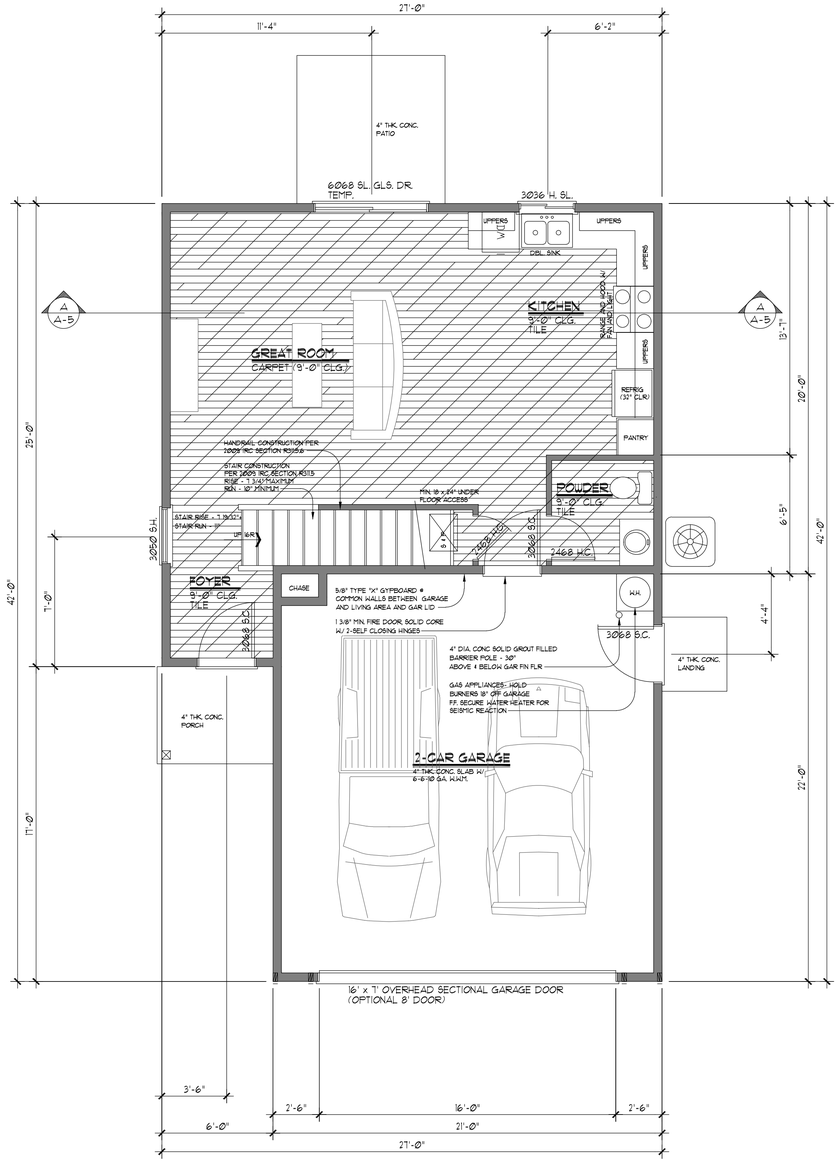
SHEET No.
SD-1



UPPER FLOOR PLAN

MAIN FLOOR: 572 SQ. FT.
UPPER FLOOR: 833 SQ. FT.
TOTAL: 1405 SQ. FT.
GARAGE: 460 SQ. FT.

SCALE: 1/4" = 1'-0"



MAIN FLOOR PLAN

MAIN FLOOR: 572 SQ. FT.
UPPER FLOOR: 833 SQ. FT.
TOTAL: 1405 SQ. FT.
GARAGE: 460 SQ. FT.

SCALE: 1/4" = 1'-0"

ATTIC FURNACES:

- MINIMUM 30"x30" ACCESS OPENING WITHIN 20' OF UNIT EXCEPT THE ACCESS OPENING MAY BE 22"x30" PROVIDED THE LARGEST PIECE OF EQUIPMENT CAN BE REMOVED THROUGH THE OPENING.
- THE PASSAGE WAY SHOULD BE UNOBSTRUCTED AND SHOULD HAVE A CONTINUOUS SOLID FLOORING NOT LESS THAN 24 INCHES WIDE TO THE WORKING PLATFORM
- MINIMUM 30" HEADROOM ABOVE ALL PLATFORMS
- PROVIDE LIGHT AT UNIT WITH SWITCH AT ACCESS
- PROVIDE RECEPTACLE AT UNIT ON A DEDICATED CIRCUIT

NOTES:

SAFTEY GLAZING MUST BE USED IN ALL HAZARDOUS AREAS PER 2009 IRC SECTION R-308

PROVIDE AT LEAST 1 EMERGENCY EGRESS WINDOW IN ROOMS USED FOR SLEEPING WHICH MEET THE FOLLOWING DIMENSIONS:
MIN 5.7 SQ. FT. OF TOTAL AREA
MIN. CLEAR OPENING HEIGHT OF 24"
MIN CLEAR OPENING WIDTH OF 20"
MAX. CLR. OPENING HEIGHT FROM FF. 44".
PER 2009 IRC SECTION R310.1

PROVIDE LANDINGS PER 2009 IRC SECTION 311.4.3

PROVIDE LIGHT AND VENTILATION PER 2009 IRC R303.1, R303.2, R303.3

PROVIDE MECHANICAL VENTILATION OF KITCHENS AND BATHROOMS PER 2009 U.M.C. KITCHENS SHALL HAVE A VENTIALTION SYSTEM CAPABLE OF 100 C.F.M. INTERMITTENT AND 25 C.F.M. CONTINUOUS. BATHROOMS TOILETROOMS 50 C.F.M. INTERMITTENT AND 20 C.F.M. CONTINUOUS

ALL LUMBER SHALL BE STD. NO. 2 GRADE OR BETTER UNLESS OTHERWISE NOTED

MEASURMENTS ARE TO STUD FACE UNLESS OTHERWISE NOTED

ALL WORK & MATERIAL SHALL CONFORM TO ALL PERTINENT REQUIREMENTS OF THE 2009 I.R.C. AND ALL LOCAL GOVERNING CODES, REGULATIONS, AND ORDINANCES.

PER 2009 U.P.C. A WATER, SOIL OR WASTE PIPE SHALL NOT BE INSTALLED OUTSIDE OF A BUILDING, IN EXTERIOR WALLS, IN ATTICS OR CRAWL SPACES, OR IN ANY OTHER PLACE SUBJECTED TO FREEZING TEMPERATURE UNLESS INSULATION OR HEAT OR BOTH ARE USED.

SHOWERS AND TUB-SHOWER COMBINATIONS SHALL BE PROVIDED WITH INDIVIDUAL CONTROL VALVES OF THE PRESSURE BALANCE OR THERMOSTATIC MIXING VALVE TYPE. THE WATER HEATER THERMOSTAT SHALL NOT BE CONSIDERED A SUITABLE CONTROL FOR MEETING THIS PROVISION.

LAWN SPRINKLERS AND IRRIGATION SYSTEMS SHALL INCLUDE AN APPROVED VACUUM PREVENTER PER 2009 U.P.C.

MAXIMUM STATIC PRESSURE SHALL BE 80 P.S.I. WHEN MAIN PRESSURE EXCEEDS 65 P.S.I., AN APPROVED PRESSURE-REDUCING VALVE CONFORMING TO ASSE 1003 PRECEDED BY AN ADEQUATE STRAINER SHALL BE INTALLED AND THE STATIC PRESSURE REDUCED TO 61 P.S.I. OR LESS. WHERE PRESSURE REGULATORS ARE REQUIRED, THE PRESSURE REGULATOR SHALL BE INSTALLED BETWEEN THE SOURCE OF THE WATER AND AFTER THE METER AND BACKFLOW PREVENTION DEVICE (IF INSTALLED AT METER) AND BEFORE ALL EXTERIOR AN INTERIOR FIXTURES AND OUTLETS.

PREPARED BY:
Shanks Enterprises
982 WOLF CR. DR.
SPRING CREEK, NEVADA 89815
775-934-9356
shankseng@gmail.com

REVISIONS			
No.	DESCRIPTION	BY	DATE
A	ISSUE FOR REVIEW	MES	5/24/21

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DRAWN	MES	5/24/21
CHECKED	MES	5/24/21
APPROVED		

PREPARED FOR:
LEGION CONS. AND DEVEL., LLC
427 WONG WAY
SPRING CREEK, NEVADA

DRAWING NO. 2002160
SCALE: AS SHOWN
PROJECT No.: 2002160
DRAWING NAME: 4STH TOWN HOME SHEET
REVISION A

TITLE:
JARBIDGE ESTATES
TOWN HOME SUBDIVISION
TOWN HOME CONCEPTURAL DWGS.
FLOOR PLAN

SHEET No. SD-2

JARBIDGE ESTATES
TOWN HOME SUBDIVISION
SITE CONSTRUCTION DRAWINGS

GENERAL NOTES:

GENERAL PROJECT

1. THE COORDINATE SYSTEM AND THE TOPOGRAPHY SHOWN ON THE PLANS ARE PER APEX SURVEYING AND MAPPING FIELD SURVEY OF APRIL 2020. THE BASIS OF BEARING IS THE PARCEL MAP FILED IN THE ELKO COUNTY COURTHOUSE AS FILE NO. 415475. THE BASIS OF ELEVATION IS NAVD88.
2. ALL ELEVATIONS AND SLOPES SHOWN ON THE SHANKS ENTERPRISES PLANS ARE TO THE TOP OF FINISHED GRADE (FG,TC, OR AC) AT THE SURFACE COURSE. THE INFORMATION PROVIDED ON THE GRADING AND DRAINAGE PLAN MUST BE SUPPLEMENTED WITH THE SITE PLAN, DETAILS, SOILS REPORT, ALL REVISIONS, AND ALL OTHER DRAWINGS AND DOCUMENTS ISSUED FOR THIS PROJECT. ANY CONFLICTS WITHIN THESE DRAWING AND DOCUMENTS OR ANY QUESTIONS REGARDING FINISHED SUBGRADE ELEVATIONS SHOULD BE RESOLVED WITH THE ENGINEER.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY AND ALL DAMAGE TO THE EXISTING UTILITIES ENCOUNTERED DURING CONSTRUCTION. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CONTACT THE UTILITY COMPANIES FOR LOCATIONS PRIOR TO CONSTRUCTION. HORIZONTAL AND VERTICAL LOCATIONS OF EXISTING UTILITIES ARE APPROXIMATE ONLY. THE CONTRACTOR SHALL CALL UNDERGROUND SERVICES ALERT AT 811 AT LEAST TWO FULL BUSINESS DAYS PRIOR TO EXCAVATION. IN ADDITION, THE CONTRACTOR SHALL NOTIFY THE PROJECT ENGINEER, CITY OF ELKO AND ALL UTILITY COMPANIES 48 HOURS PRIOR TO COMMENCEMENT OF WORK.
4. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE PROJECT SPECIFICATIONS OR THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, LATEST ADOPTED ("STANDARD SPECIFICATIONS"). FOR INFORMATION ON SPECIFICATIONS OR DETAILS NOT SHOWN ON THE PLANS OR SPECIFICATIONS, REFER TO THE "STANDARD SPECIFICATIONS".
5. THE CONTRACTOR SHALL MAINTAIN A 24 HOUR DUST CONTROL AND EROSION CONTROL PROGRAM, INCLUDING WATERING OF OPEN AREAS. DUST CONTROL PROGRAM SHALL BE IN COMPLIANCE WITH ALL FEDERAL, STATE, COUNTY AND CITY CODES AND ORDINANCES.
6. ALL WORK IS SUBJECT TO MODIFICATION, DEPENDING ON FIELD REQUIREMENTS OR CONDITIONS OF THE PROJECT SITE.
7. THE CONTRACTOR SHALL PROTECT FROM DAMAGE DURING CONSTRUCTION ALL EXISTING STRUCTURES, UTILITIES, PAVING, AND OTHER FACILITIES THAT ARE TO BE LEFT IN PLACE.
8. THE CONTRACTOR SHALL MAINTAIN POSITIVE DRAINAGE AND PROVIDE EROSION CONTROL MEASURES AT THE PROJECT SITE, AT ALL TIMES.
9. EXCAVATION SHALL BE AS NEARLY VERTICAL AS POSSIBLE (SHEET AND SHORE IF SOIL CONDITIONS REQUIRE) IN EXISTING STREET SECTIONS, ALLEY SECTIONS, AND CONFINED AREAS, SUCH AS LIMITED EASEMENTS OR ADJACENT TO STRUCTURES. NATURAL ANGLE OF REPOSE WILL BE ALLOWED IN ALL OTHER AREAS; CITY OF ELKO – OSHA STANDARDS MINIMUM.
10. THE CONTRACTOR SHALL MAINTAIN AN ONGOING PROCESS FOR REMOVAL OF SPILLAGE OF EXCAVATED MATERIAL OR TRACK OUT ON ALL PAVED STREETS. CONTRACTORS WILL LIMIT ACCESS AND EGRESS TO TRACK OUT LOCATIONS.
11. ALL CONTRACTORS ARE RESPONSIBLE FOR MAINTAINING ONSITE SPEED LIMITS OF THEIR PERSONNEL.
12. CONTRACTOR TO ENSURE ALL APPLICABLE PERMITS HAVE BEEN OBTAINED PRIOR TO EXCAVATING WITHIN ANY RIGHT OF WAY.
13. THE CONTRACTOR SHALL FIELD VERIFY, ALL ELEVATIONS, DIMENSIONS, FLOW LINES, EXISTING CONDITIONS, AND POINTS OF CONNECTIONS WITH ADJOINING PROPERTY (PUBLIC OR PRIVATE). ANY DISCREPANCIES SHALL BE CALLED TO THE ATTENTION OF THE PROJECT ENGINEER BEFORE PROCEEDING WITH THE WORK.
14. THE OWNER WILL PROVIDE AN AS–BUILT TO CITY OF ELKO. THE AS–BUILT WILL INCLUDE ALL RELEVANT QUALITY ASSURANCE AND QUALITY CONTROL INFORMATION AND BE STAMPED BY A PROPERLY LICENSED PROFESSIONAL ENGINEER. THE CONTRACTOR SHALL WORK WITH THE PROJECT ENGINEER TO ENSURE AN ACCURATE AS–BUILT CAN BE GENERATED AND SUBMITTED TO THE CITY OF ELKO BY THE PROJECT ENGINEER. THE AS–BUILT SHALL REFLECT HYDRANT NUMBERS AS ASSIGNED BY THE CITY OF ELKO UTILITY DEPARTMENT.
15. THE CONTRACTOR SHALL HAVE A STAMPED AGENCY APPROVED SET OF PLANS AT THE WORK SITE DURING CONSTRUCTION. CONSTRUCTION SHALL NOT PROCEED UNTIL THIS SET OF PLANS IS ISSUED WITH INCLUDED REVISIONS AND COMMENTS MADE BY THE AGENCIES.
16. CONTRACTOR TO OBTAIN A STREET CUT PERMIT FROM THE PUBLIC WORKS DEPARTMENT AND PAY ANY APPLICABLE FEES TO CITY OF ELKO PRIOR TO EXCAVATING WITHIN THE CITY RIGHT OF WAY.
17. TEMPORARY SITE ADDRESS SHALL BE PROVIDED AT EACH ENTRY WITH A MINIMUM 6" NUMBERS ON A CONTRACTING BACKGROUND AS REQUIRED BY THE 2018 IFC SECTION 505.1 DURING CONSTRUCTION.

GRADING AND PAVING

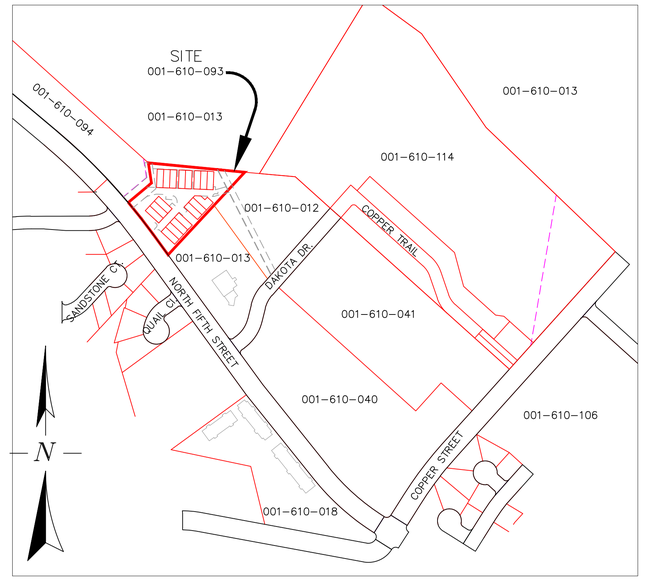
18. GRADING AROUND BUILDINGS TO BE DONE IN A MANNER AS TO PROVIDE POSITIVE DRAINAGE AWAY FROM BUILDING IN ACCORDANCE WITH IBC 18 & CITY OF ELKO CITY REQUIREMENTS.
19. ALL CONCRETE PLACED ON THIS PROJECT SHALL COMPLY WITH THE LATEST EDITION OF THE ORANGE BOOK AND SHALL BE APPROVED BY THE PROJECT ENGINEER. ALL PCC CURB, GUTTER, SIDEWALK, SLABS & APRONS, AND MANHOLES SHALL BE CLASS AA OR DA WITH A MINIMUM OF 6 SACKS OF PORTLAND CEMENT PER C.Y. OF CONCRETE, CONCRETE MIX DESIGN SHALL BE A CITY OF ELKO APPROVED MIX DESIGN 4,000 PSI MINIMUM (AT 28 DAYS), 4% TO 7% AIR ENTRAINMENT, AND USE NO. 67 AGGREGATE, UNLESS OTHERWISE SPECIFIED. THESE STRUCTURES SHALL BE CAST IN PLACE OR APPROVED PRECAST. NO CONCRETE SHALL BE PLACED UNTIL FORMS AND BASE COURSE ARE INSPECTED BY THE ENGINEER FOR BOTH PRIVATE AND PUBLIC IMPROVEMENTS.
20. ROAD SURFACING MATERIAL SHALL CONFORM TO THE SPECIFICATIONS FOR TYPE 2 PLANTMIX BITUMINOUS PAVEMENT AND SHALL BE COMPACTED TO 96% MINIMUM DRY DENSITY, BASED ON THE MARSHALL UNIT WEIGHT. ASPHALT CEMENT SHALL BE AC–20 OR AC–20P.

UTILITY NOTES – GENERAL

21. ALL UTILITY TRENCHES SHALL CONFORM TO CITY OF ELKO AND UTILITY COMPANY SPECIFICATIONS. CONTRACTOR TO COORDINATE INSTALLATION OF ALL UTILITIES WITH LOCAL UTILITY PROVIDERS.
22. EXCAVATION AND BACKFILL SHALL BE AS SPECIFIED FOR "TRENCH AND BACKFILL" IN SECTIONS 305.00 OF THE "STANDARD SPECIFICATIONS".
23. SOIL FOUNDATIONS FOR SEWER OR WATER PIPE SHALL BE FREE OF SOD, STUMPS, STONES, OR ANY OTHER ORGANIC OR DELETERIOUS MATERIALS.
24. UPON INSTALLATION OF ALL UNDERGROUND PIPE, THE BEDDING AREA SHALL BE SHAPED TO PROVIDE CONTINUOUS CONTACT OF THE ENTIRE PIPE BOTTOM WITH THE FOUNDATION. THE PIPE BACKFILL SHALL BE FIRMLY TAMPED AT THE HAUNCHES IN ORDER TO PROVIDE THOROUGH COMPACTION.
25. THE DESIGN OF GAS, TELEPHONE, TV, AND ELECTRIC SHALL BE BY THE RESPECTIVE UTILITY COMPANIES AS SHOWN ON THE LIST OF AGENCIES ON THE DETAIL SHEET. ALL GAS, ELECTRICAL AND TELEPHONE SHOWN ON THESE PLANS ARE FRO GENERAL ARRANGEMENT ONLY.
26. ADJUST ALL EXISTING UTILITY STRUCTURES TO FINISHED GRADE.

UTILITY NOTES – WET UTILITIES

27. VERTICAL AND HORIZONTAL SEPARATION OF ALL WATER AND SEWER (SANITARY AND STORM) UTILITIES SHALL BE MAINTAINED PER NAC. ENGINEER AND CONTRACTOR TO REFERENCE SECTION 445A.6715 TO SECTION 445A.6718 OF THE NEVADA ADMINISTRATIVE CODE FOR UTILITY SEPARATION AND CLEARANCES. VERTICAL CLEARANCE BETWEEN WATER LINES AND ALL OTHER EXISTING OR PROPOSED SANITARY OR STORM SEWER, GAS TELEPHONE, TV AND ANY OTHER LINES, SHALL BE A MINIMUM OF 18".
28. CITY OF ELKO PUBLIC WORKS SHALL BE CONTACTED FOR AUTHORIZATION TO PLACE ANY NEW WATER SYSTEM EXTENSIONS, REPLACEMENTS IN EXISTING SYSTEMS AND VALVED SECTIONS INTO SERVICE FOR TESTING OR FINAL ACCEPTANCE, AND SHALL PERFORM OR SUPERVISE ALL LIVE TAPS ONTO CITY UTILITIES. ALL WATER TAPS TO BE IN ACCORDANCE WITH CITY OF ELKO SPECIFICATIONS. WATER TAPS ONTO WATER MAIN TO BE A MINIMUM OF 6 FEET FROM HYDRANT TAPS.
29. ALL WATER MAINS SHALL BE A MINIMUM OF 8"ø THICKNESS CLASS 50 OR PRESSURE CLASS 350 C–900 OR DUCTILE IRON PIPE, WITH POLYETHYLENE ENCASEMENT, OR DR 18 C900 PVC PIPE, UNLESS OTHERWISE SHOWN. ALL CONSTRUCTION TO BE AWWA C–600 OR AWWA C–605 COMPLIANT AS APPROPRIATE. MINIMUM COVER OVER THE WATER AND SEWER MAINS SHALL BE 42".
30. ALL WATER SERVICE LINES SHALL BE 1" COPPER TUBE SIZE (CTS) RATED 200 PSI POLYETHYLENE UNLESS OTHERWISE SHOWN.
31. ALL GATE VALVES SHALL BE RESILIENT SEAT GATE VALVES, MEETING THE REQUIREMENTS OF AWWA C500. GATE VALVES SHALL BE AS MANUFACTURED BY MUELLER COMPANY.
32. FIRE HYDRANTS SHALL BE 6 INCH, MUELLER MODERN CENTURION, 3–WAY, DRY BARREL FIRE HYDRANTS OR APPROVED EQUAL. LOCATE HYDRANTS A MINIMUM OF 6 FEET FROM ABOVE GROUND UTILITIES
33. BEFORE BEING CERTIFIED BY AN ENGINEER OR ACCEPTED BY CITY OF ELKO, ANY NEW WATER SYSTEMS, EXTENSIONS, REPLACEMENTS IN EXISTING SYSTEMS AND VALVE SECTIONS SHALL BE PRESSURE TESTED IN ACCORDANCE WITH NAC445A.67145.7(a) AND (b), AND DISINFECTED IN ACCORDANCE WITH AWW C–651, "DISINFECTING WATER MAINS".
34. GENERAL CONTRACTOR OR ARCHITECT TO ADVISE PLUMBING CONTRACTOR OF HIS/HER RESPONSIBILITY TO VERIFY WATER PRESSURE DURING STATIC CONDITIONS AT ALL SERVICE LOCATIONS. THE PLUMBING CONTRACTOR IS REQUIRED TO CONFORM TO THE MOST CURRENT EDITION OF THE UNIFORM PLUMBING CODE WHICH HAS BEEN ADOPTED BY CITY OF ELKO. SPECIAL ATTENTION SHOULD BE GIVEN TO THE SECTION OF THE CODE CONCERNING STATIC WATER PRESSURE IN EXCESS OF 80 PSI.
35. BACKFLOW PREVENTION IS REQUIRED BY NEVADA ADMINISTRATIVE CODE (NAC) SECTION 445A.67185. IRRIGATION BACKFLOW AND CERTAIN DOMESTIC BACKFLOW PREVENTION ASSEMBLIES SHALL BE INSTALLED AS REQUIRED DOWNSTREAM OF THE METER.
36. BEFORE BEING CERTIFIED BY AN ENGINEER OR ACCEPTED BY CITY OF ELKO, ANY NEW SEWER SYSTEMS, EXTENSIONS, REPLACEMENTS IN EXISTING SYSTEMS AND VALVE SECTIONS SHALL BE PRESSURE TESTED IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION: LATEST EDITION.
37. ALL SANITARY SEWER MAINS SHALL BE 8" SDR 35 PVC (GREEN) PIPE. ALL SANITARY SEWER LATERALS SHALL BE A MINIMUM OF 4" (RESIDENTIAL) OR 6" (COMMERCIAL) SDR 35 PVC PIPE WITH A 2% SLOPE MINIMUM UNLESS OTHERWISE SHOWN.
38. ALL STORM AND SANITARY SEWER PIPES AND ALL APPROVED MATERIAL SHALL BE CAPABLE OF A MINIMUM H–20–44 LOADING. STORM SEWER SHALL HAVE LEAK–PROOF GASKETS BETWEEN PUSH ON JOINTS. ALL MANHOLES SHALL INCLUDE D&L A–1181 FRAME AND NON VENTED COVER ASSEMBLY, OR APPROVED EQUAL, WITH IDENTIFICATION OF STORM SEWER CLEARLY DISPLAYED ON THE COVER.
39. PRECAST MANHOLE SECTIONS, OTHER THAN GRADE RINGS, SHALL BE JOINED WITH FLEXIBLE PLASTIC GASKET MATERIAL, SUCH AS "RAM–NECK" OR APPROVED EQUAL.



ELKO ELKO COUNTY NEVADA

VICINITY MAP

SCALE: 1" = 300'

PROJECT CONTACTS

DESCRIPTION	COMPANY	CONTACT	ADDRESS		PHONE
PROJECT OWNER	LEGION CONST. AND DEVEL. LLC	JOHN SMALES	427 WONG WAY	SPRING CR., NV 89815	(775) 778-1539
CIVIL ENGINEER	SHANKS ENTERPRISES	MICHAEL SHANKS	982 WOLF CR. DR.	SPRING CR., NV 89815	(775) 934-9356

PROJECT INFORMATION

JARBIDGE ESTATES

PROPERTY OWNER	LEGION CONST. AND DEVEL. LLC
PROJECT ADDRESS:	NO ASSIGNED
EX. ZONING:	R
PROPOSED. ZONING:	R
APN:	001-610-093
PARCEL NO.	1
AREA	2.16

CITY OF ELKO CONTACTS

CITY ENGINEER:	BOB THIBAULT, P.E.	775-777-7214
PUBLIC WORKS DIRECTOR:	DENNIS STRICKLAND	775-777-7241
UTILITY DIRECTOR:	DALE JOHNSON	775-777-7271

UTILITY CONTACTS

FRONTIER COMM.	PHONE/INTERNET	775-738-0775
SOUTH WEST GAS	GAS	775-753-5199
NV ENERGY	ELECTRICAL	775-834-2822
ELKO TV DIRECT		775-778-0561

DRAWINGS LEGEND

EXISTING / DESIGN

ROW LINE
PROPERTY LINE
CENTER LINE
EASEMENT
PCC (SW, C&G)
PAVEMENT
GRAVEL
CONTOUR 1' INTERVAL
CONTOUR 5' INTERVAL
WATER LINE (SIZE)
SEWER LINE
STORM SEWER
ELECTRICAL LINE (OVER HEAD)
ELECTRICAL LINE – UNDER GROUND
EXISTING GAS MAIN OR SERVICE
FENCE
LANDSCAPE WALL
BUILDING – EXTERIOR WALL
LANDSCAPE WALL

STREET MONUMENT
PROPERTY CORNER – FOUND
PROPERTY CORNER, TO BE SET
CALC POINT, NOTHING SET
1/4 CORNER
SECTION CORNER
CONTROL POINT & VERTICAL GRADE BREAK
BENCH MARK
TRAFFIC FLOW DIRECTION
SINGLE CONSTRUCTION SIGN
DOUBLE CONSTRUCTION SIGN

AC PAVEMENT AREA – 4"AC/ 8" TYPE 2 AGGREGATE BASE
EXISTING AC PAVEMENT AREA
CONCRETE SURFACE
LANDSCAPE WALL
TYPE II AGGREGATE BASE
LANDSCAPING–ROCK MULCH
LANDSCAPING–PLANTS
LANDSCAPING–ROCK MULCH & PLANTS
PARKING STALL

EXISTING / DESIGN

STREET LIGHT
ELECTRICAL PAD OR VAULT
ELECTRICAL BOX
ELECTRICAL MANHOLE
DROP INLET
STORM DRAIN MANHOLE
TYPE 2 CATCH BASIN
TYPE 1 CATCH BASIN
SANITARY SEWER MANHOLE
CLEANOUT
THRUST BLOCK
TELEPHONE BOX OR PEDESTAL
TELEPHONE MANHOLE
UTILITY POLE/ GUY ANCHOR
WATER SHUTOFF
WATER VALVE
FIRE HYDRANT
LIGHT POLE BASE
FIRE DEPARTMENT STAND PIPE

ABBREVIATIONS

AC	ASPHALTIC CONCRETE/ ACRES
BC	BEGIN CURVE
BFG	BELOW FINISH GRADE
BM	BENCH MARK
BOF	BOTTOM OF FOOTING ELEVATION
BSW	TOP BACK OF SIDEWALK
BVC	BEGIN VERTICAL CURVE
BVCE	BEGIN VERTICAL CURVE ELEVATION
BVCS	BEGIN VERTICAL CURVE STATION
C	CREST ELEVATION
CB	CATCH BASIN
C&G	CURB AND GUTTER
CH	CHORD
CI	CONTOUR INTERVAL
CL	CENTERLINE
CMP	CORRUGATED METAL PIPE
CP	CONCRETE PIPE
CY	CUBIC YARDS
DI	DROP INLET
DIP	DUCTILE IRON PIPE
(e)	EXISTING
E ugd	ELECTRICAL UNDERGROUND
EC	END CURVE
EG	EXISTING GRADE
EL	ELEVATION
EOP	EDGE OF PAVEMENT/PAD
EVC	END VERTICAL CURVE
EVCE	END VERTICAL CURVE ELEVATION
EVCS	END VERTICAL CURVE STATION
EX	EXISTING
FF	FINISHED FLOOR
FFC	FRONT FACE OF CURB
FG	FINISHED GRADE
FH	FIRE HYDRANT
FL	FLOW LINE
FCV	FLOW CONTROL VALVE
G	GAS
GB	GRADE BREAK
GT	GEOTHERMAL
GV	GATE VALVE
HORIZ	HORIZONTAL
ID	INSIDE DIAMETER
INT	INTERSECTION
IE	INVERT ELEVATION
L	LENGTH
LT	LEFT
LF	LINEAL FEET
MH	MANHOLE
OD	OUTSIDE DIAMETER
P	PUMP
PC	POINT OF HORIZONTAL CURVE
PCC	PORTLAND CEMENT CONCRETE
PCV	PRESSURE CONTROL VALVE
PI	POINT OF INTERSECTION
PL	PROPERTY LINE
POC	POINT ON CURVE
POT	POINT OF TANGENT
PCP	PLASTIC CORRUGATED PIPE
PRC	POINT OF REVERSE CURVE
PRV	PRESSURE REDUCING VALVE
PVI	POINT OF VERTICAL INTERSECTION
PVC	POLYVINYL CHLORIDE PIPE
R	RADIUS
RCP	REINFORCED CONCRETE PIPE
REF	REFERENCE
RT	RIGHT
RV	RELIEF VALVE
R/W	RIGHT–OF–WAY
S	SLOPE
SD	STORM DRAIN
SF	SQUARE FEET
SHT	SHEET
SS	SANITARY SEWER
STA	STATION
SW	SIDEWALK
T	TANGENT
t	TELEPHONE
TBC	TOP BACK OF CURB
TC	TOP OF CURB OR CONCRETE
TE	THICKENED EDGE
TFD	TOP OF FOUNDATION
TOW	TOP OF WALL
TP	TOP OF PAVEMENT
TSW	TOP OF SIDEWALK
TV	TV CABLE
TYP	TYPICAL
VC	VERTICAL CURVE
VERT	VERTICAL
VG	VALLEY GUTTER

SHEET INDEX

C1.1 ..... TITLE SHEET
C2.1 ..... SITE PLAN
C2.2 ..... HORIZONTAL CONTROL PLAN
C2.3 ..... UTILITY PLAN
C3.1 ..... PLAN & PROFILE – ALIGN 1
C3.2 ..... PLAN & PROFILE – ALIGN 2
C3.3 ..... PLAN & PROFILE – ALIGN SS
C3.4 ..... PLAN & PROFILE – ALIGN NORTH FIFTH STREET
C4.1 ..... GRADING & DRAINAGE PLAN
C5.1 ..... DETAILS – ROAD SECTIONS
C5.2 ..... DETAILS – UTILITIES
C5.3 ..... DETAILS – UTILITIES
C5.4 ..... DETAILS – UTILITIES
C5.5 ..... DETAILS – UTILITIES

SUPPLEMENTARY DRAWINGS
SWPPP SHEET 1
SWPPP SHEET 2
ELEVATIONS
FLOOR PLANS

REGISTERED PROFESSIONAL ENGINEER
MICHAEL E. SHANKS
6/7/21
CIVIL
No. 10385
STATE OF NEVADA

EXPIRES: 6/30/22

PREPARED BY:
Shanks Enterprises
982 WOLF CR. DR.
SPRING CREEK, NEVADA 89815
775-934-9356
shanksengr@gmail.com

REVISIONS No:	DESCRIPTION	BY	DATE
A	ISSUE FOR REVIEW	MES	5/24/21
B	CORRECTIONS MADE TO NOTES AND CONTACT INFO.	MES	6/7/21

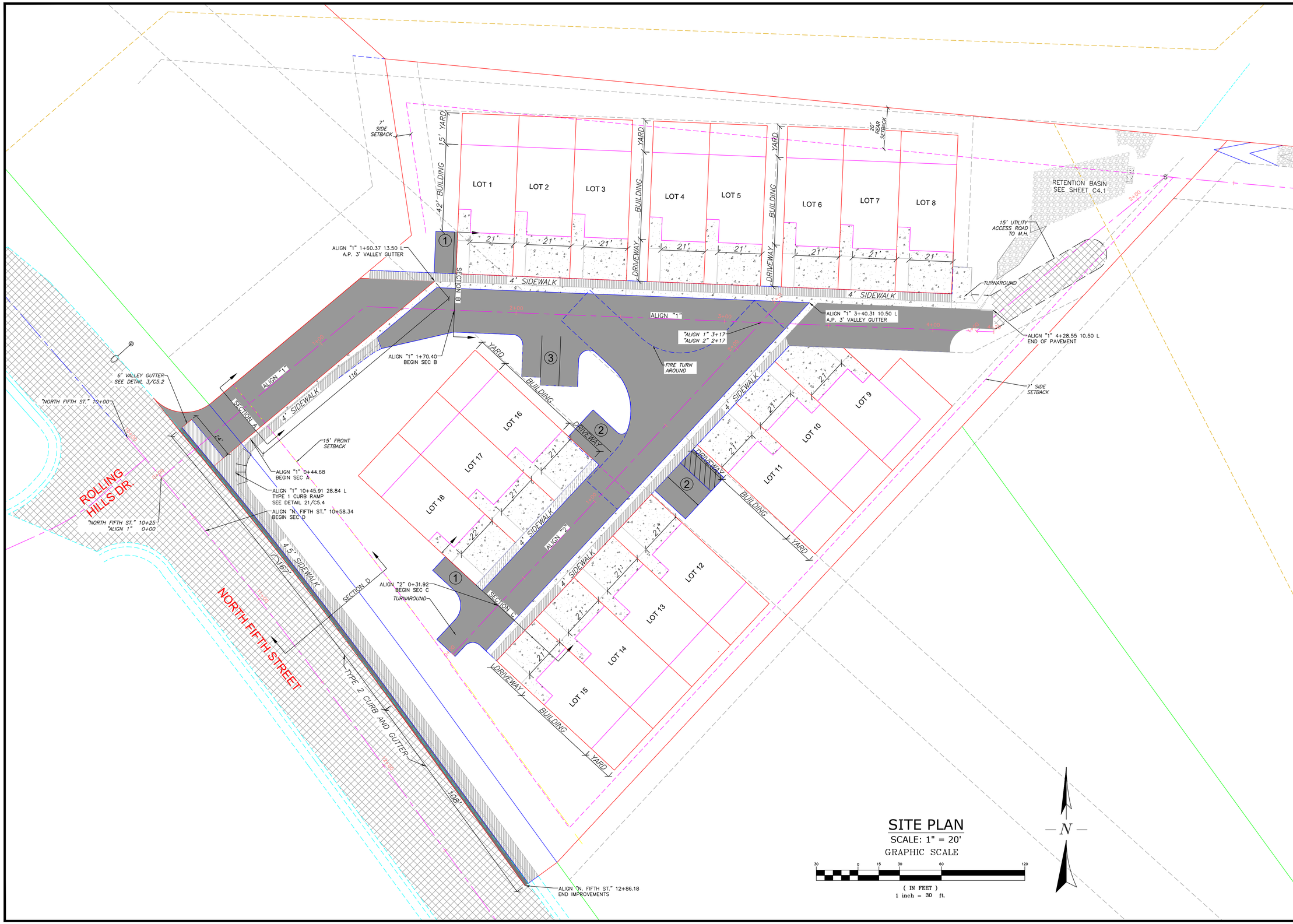
REFERENCE		
DESIGNED	MES	5/24/21
DRAWN	MES	5/24/21
CHECKED	MES	5/24/21
APPROVED		
APPROVED		

PREPARED FOR:
LEGION CONS. AND DEVEL., LLC
427 WONG WAY
SPRING CREEK, NEVADA

DRAWING NO. 2002160
SCALE: AS SHOWN
PROJECT No: 2002160
DRAWING NAME: NORTH TOWN HOME SBD
REVISION B

TITLE:
JARBIDGE ESTATES
TOWN HOME SUBDIVISION
SITE CONSTRUCTION DRAWINGS
TITLE SHEET

SHEET No. C1.1



SITE PLAN

SCALE: 1" = 20'

GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)
1 inch = 30 ft.

REGISTERED PROFESSIONAL ENGINEER
MICHAEL E. SHANKS
5/7/21
CIVIL
No. 10385
STATE OF NEVADA

EXPIRES: 6/30/22

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REVISIONS			
No.	DESCRIPTION	BY	DATE
A	ISSUE FOR REVIEW	MES	5/24/21
B	NO CORRECTIONS ON THIS SHEET	MES	6/7/21

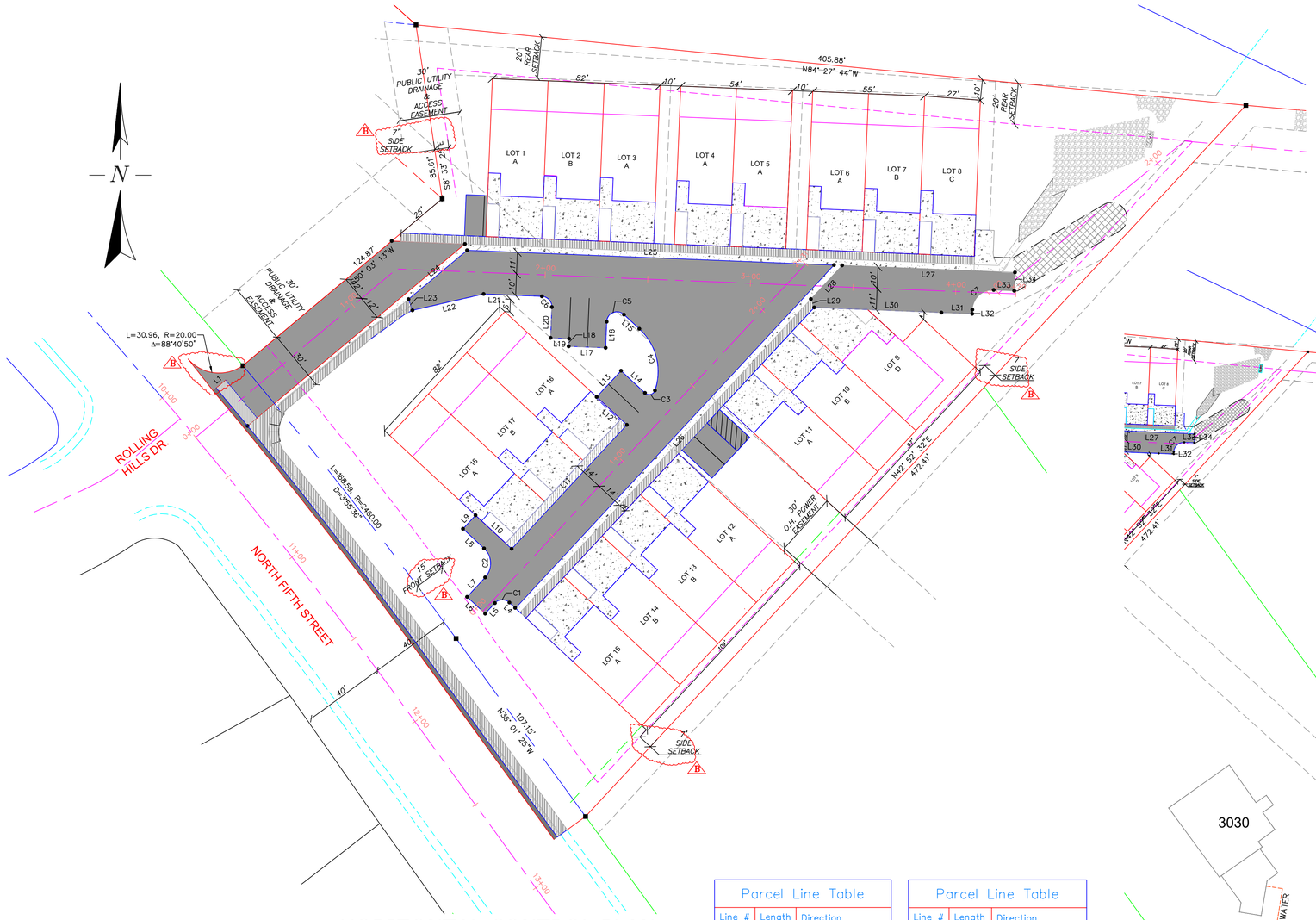
REFERENCE		
DESIGNED	MES	5/24/21
DRAWN	MES	5/24/21
CHECKED	MES	5/24/21
APPROVED		
APPROVED		

PREPARED FOR:
LEGION CONS. AND DEVEL., LLC
427 WONG WAY
SPRING CREEK, NEVADA

DRAWING NO. 2002160
SCALE: AS SHOWN
PROJECT No. 2002160
DRAWING NAME N5TH TOWN HOME SHD
REVISION B

TITLE:
JARBIDGE ESTATES
TOWN HOME SUBDIVISION
SITE CONSTRUCTION DRAWINGS
SITE PLAN

SHEET No. C2.1



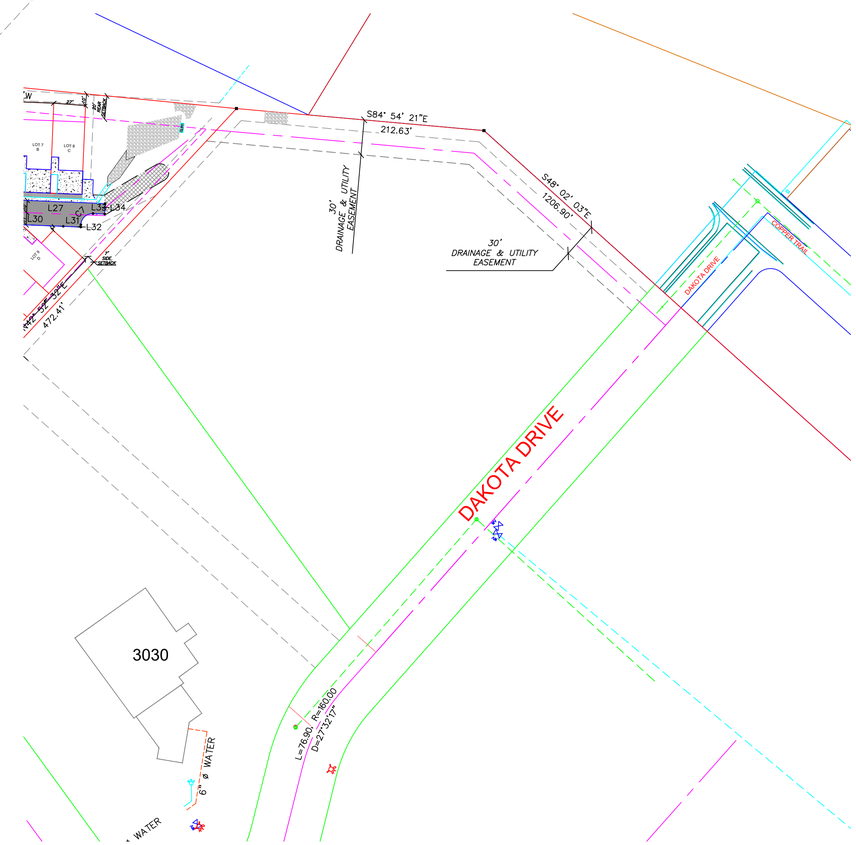
HORIZONTAL CONTROL PLAN

SCALE: 1" = 30'

GRAPHIC SCALE

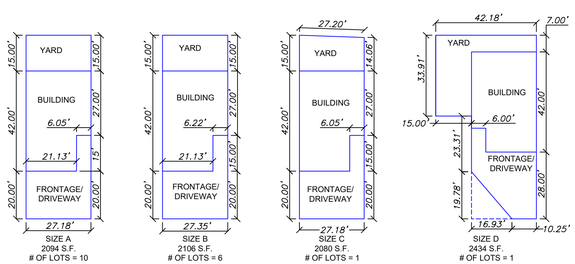
30 0 15 30 60 120

(IN FEET)
1 inch = 30 ft.



SEWER CONTINUATION

SCALE: 1" = 60'



LOT DIMENSIONS

SCALE: 1" = 30'

Parcel Line Table		
Line #	Length	Direction
L1	6.00	N50° 03' 20.33"E
L4	3.84	N47° 07' 28.00"W
L5	7.00	S42° 52' 32.00"W
L6	12.00	N47° 07' 28.00"W
L7	12.92	N42° 52' 32.00"E
L8	14.00	N47° 07' 28.00"W
L9	9.00	N42° 52' 32.00"E
L10	24.00	S47° 07' 28.00"E
L11	82.33	N42° 52' 32.00"E
L12	20.00	N47° 07' 28.00"W
L13	17.42	N42° 52' 32.00"E
L14	15.91	S47° 07' 28.00"E
L15	10.19	N47° 07' 28.00"W
L16	12.72	S2° 19' 05.54"W
L17	18.00	N87° 42' 04.90"W
L18	3.76	N2° 18' 51.90"E
L19	9.00	N87° 40' 54.46"W
L20	15.00	N2° 19' 05.54"E
L21	28.40	N87° 40' 54.46"W
L22	35.56	S77° 06' 44.47"W

Parcel Line Table		
Line #	Length	Direction
L23	5.73	N19° 51' 39.77"W
L24	37.21	N50° 03' 20.33"E
L25	178.77	S87° 40' 54.46"E
L26	227.89	S42° 52' 32.00"W
L27	84.22	N87° 40' 54.46"W
L28	22.38	S42° 52' 32.00"W
L29	4.40	S22° 24' 11.23"E
L30	61.93	S87° 40' 54.46"E
L31	15.00	S87° 40' 54.46"E
L32	2.00	N2° 19' 05.54"E
L33	10.00	S87° 40' 54.46"E
L34	9.00	N2° 19' 05.54"E

Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	7.85	5.00	90.00	S87° 52' 32"W	7.07
C2	15.71	10.00	90.00	N2° 07' 28"W	14.14
C3	5.95	3.00	113.62	N76° 03' 54"E	5.02
C4	32.76	28.00	67.03	N14° 15' 36"W	30.92
C5	11.39	5.00	130.56	S67° 35' 49"W	9.08
C6	7.85	5.00	90.00	N42° 40' 54"W	7.07
C7	15.71	10.00	90.00	N47° 19' 06"E	14.14

REGISTERED PROFESSIONAL ENGINEER
MICHAEL E. SHANKS
5/7/21
CIVIL
No. 10385
STATE OF NEVADA

EXPIRES: 6/30/22

PREPARED BY:
Shanks Enterprises
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SPRING CREEK, NEVADA 89815
775-934-9356
shankseng@gmail.com

REVISIONS				
No.	DESCRIPTION	BY	DATE
A	ISSUE FOR REVIEW	MES	5/24/21
B	CORRECTIONS ON SETBACKS AND THE CALL OUTS	MES	6/7/21

REFERENCE		
DESIGNED	MES	5/24/21
DRAWN	MES	5/24/21
CHECKED	MES	5/24/21
APPROVED		
APPROVED		

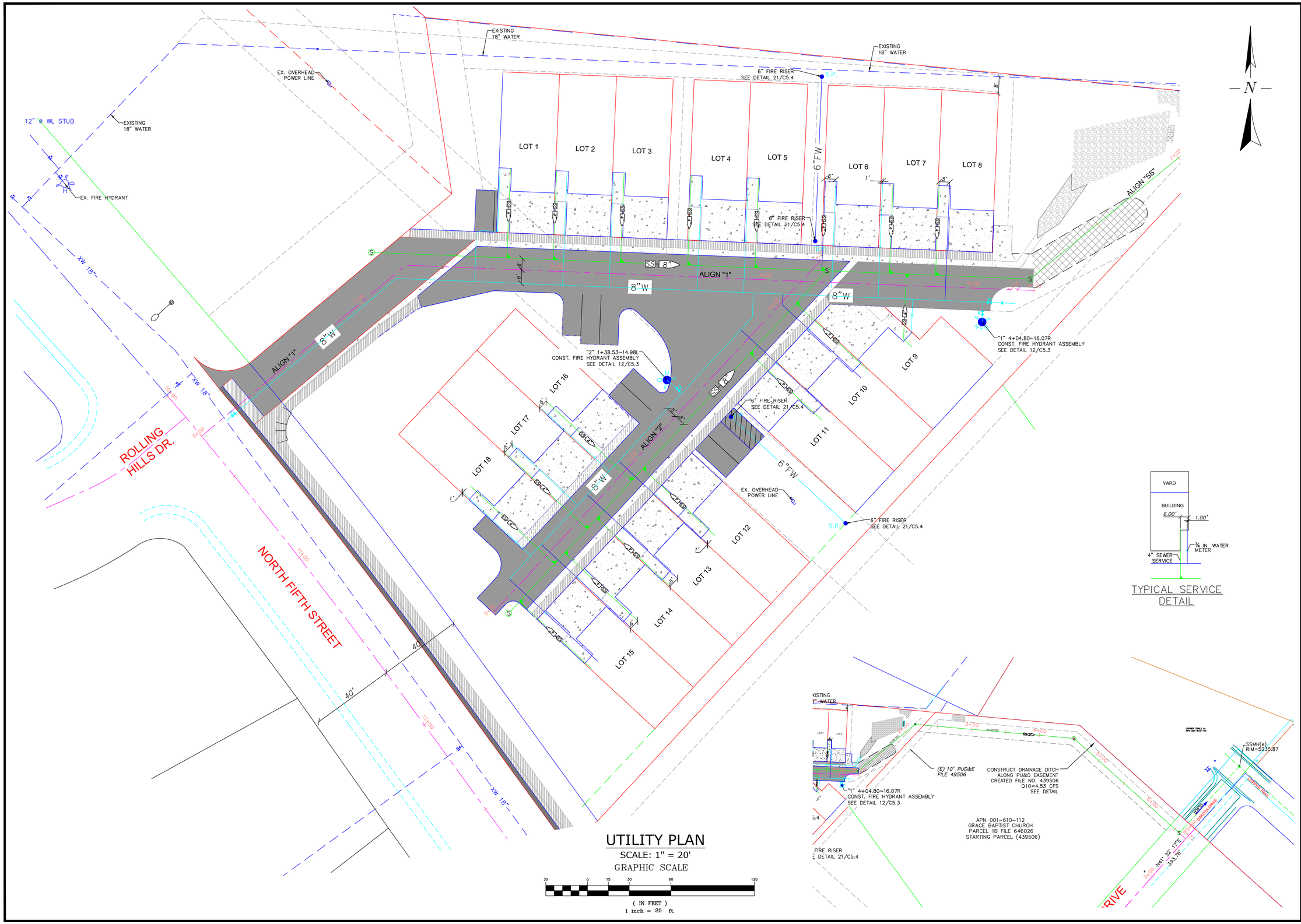
PREPARED FOR:
LEGION CONS. AND DEVEL., LLC
427 WONG WAY
SPRING CREEK, NEVADA

DRAWING NO. 2002160
SCALE: AS SHOWN
PROJECT No: 2002160
DRAWING NAME: N3711 TOWN-HOME SBD

B
REVISION

TITLE:
JARBIDGE ESTATES
TOWN HOME SUBDIVISION
SITE CONSTRUCTION DRAWINGS
HORIZONTAL CONTROL PLAN

SHEET No: C2.2



UTILITY PLAN

SCALE: 1" = 20'

GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)
1 inch = 20 ft.

REGISTERED PROFESSIONAL ENGINEER
MICHAEL E. SHANKS
5/7/21
CIVIL
No. 10385
STATE OF NEVADA
EXPIRES: 6/30/22

PREPARED BY:
Shanks Enterprises
982 WOLF CR. DR.
SPRING CREEK, NEVADA 89815
775-934-9356
shankseng@gmail.com

NO.	REVISIONS	DESCRIPTION	BY	DATE
A		ISSUE FOR REVIEW	MES	5/24/21
B		NO CORRECTIONS ON THIS SHEET	MES	6/7/21

REFERENCE	
DESIGNED	MES 5/24/21
DRAWN	MES 5/24/21
CHECKED	MES 5/24/21
APPROVED	
APPROVED	

PREPARED FOR:
LEGION CONS. AND DEVEL., LLC
427 WONG WAY
SPRING CREEK, NEVADA

DRAWING NO. 2002160
SCALE AS SHOWN
PROJECT No. 2002160
DRAWING NAME NORTH TOWN HOME SSD

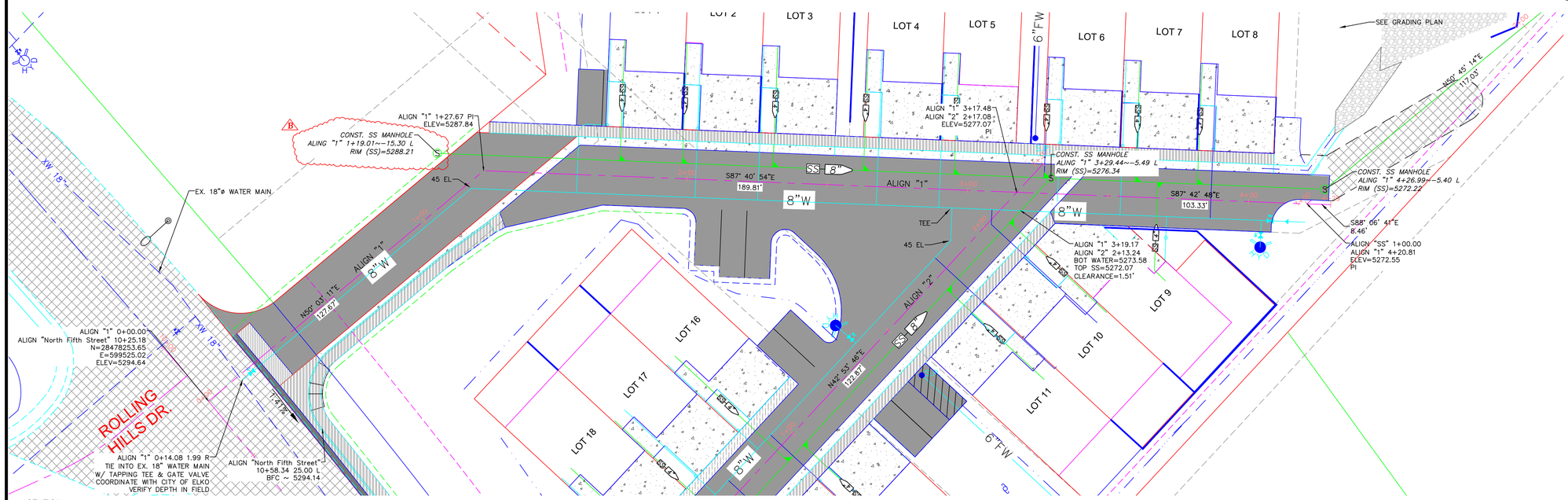
B REVISION

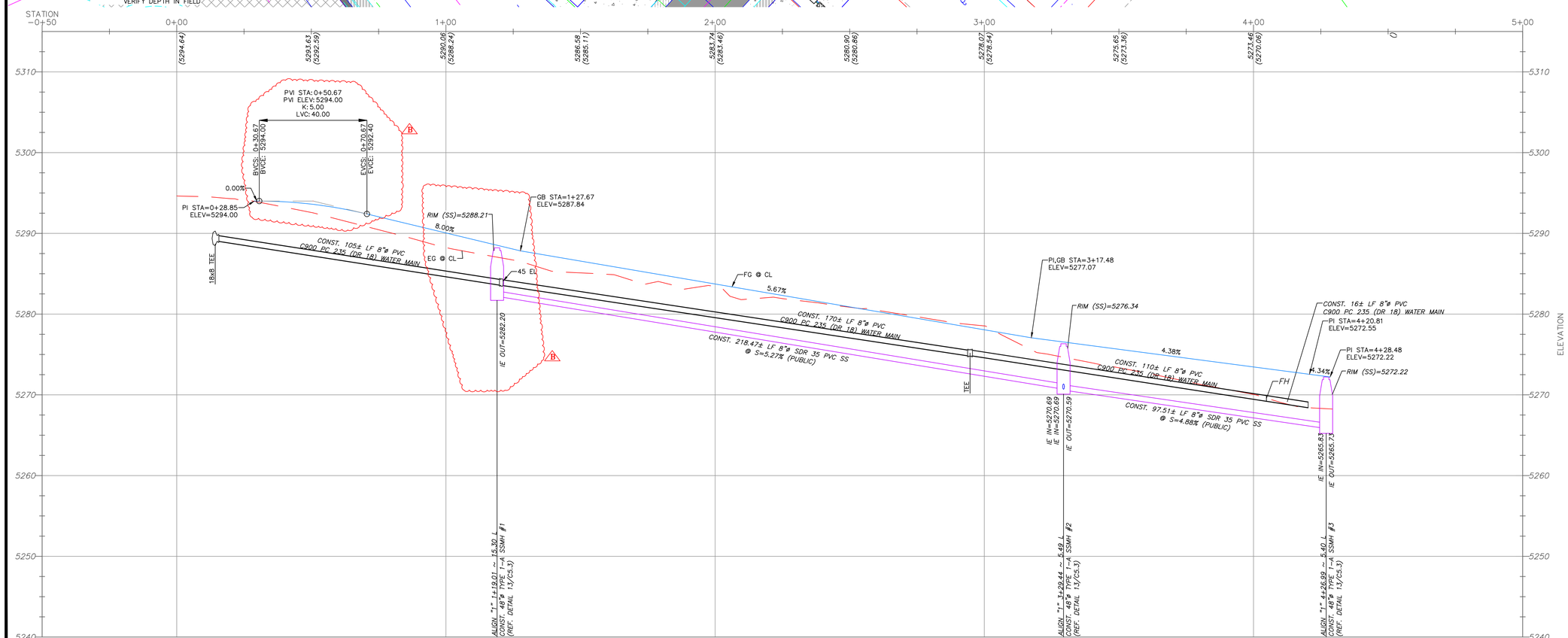
TITLE:
JARBIDGE ESTATES
TOWN HOME SUBDIVISION
SITE CONSTRUCTION DRAWINGS
UTILITY PLAN

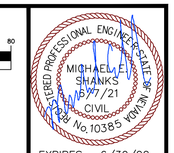
SHEET No. C2.3

GRAPHIC SCALE

(IN FEET)
1 inch = 20 ft.







EXPIRES: 6/30/22

PREPARED BY:
Shanks Enterprises
982 WOLF CR. DR.
SPRING CREEK, NEVADA 89815
775-934-9356
shankseng@gmail.com

No.	DESCRIPTION	BY	DATE
A	ISSUE FOR REVIEW	MES	5/24/21
B	VERTICAL CURVE ADDED AND SS EXTENDED	MES	6/7/21

REVISIONS

REFERENCE	
DESIGNED	MES 5/24/21
DRAWN	MES 5/24/21
CHECKED	MES 5/24/21
APPROVED	

PREPARED FOR:
LEGION CONS. AND DEVEL., LLC
427 WONG WAY
SPRING CREEK, NEVADA

DRAWING NO. 2002160
SCALE: AS SHOWN
PROJECT No. 2002160
DRAWING NAME: M3114 TOWN HOME SBD

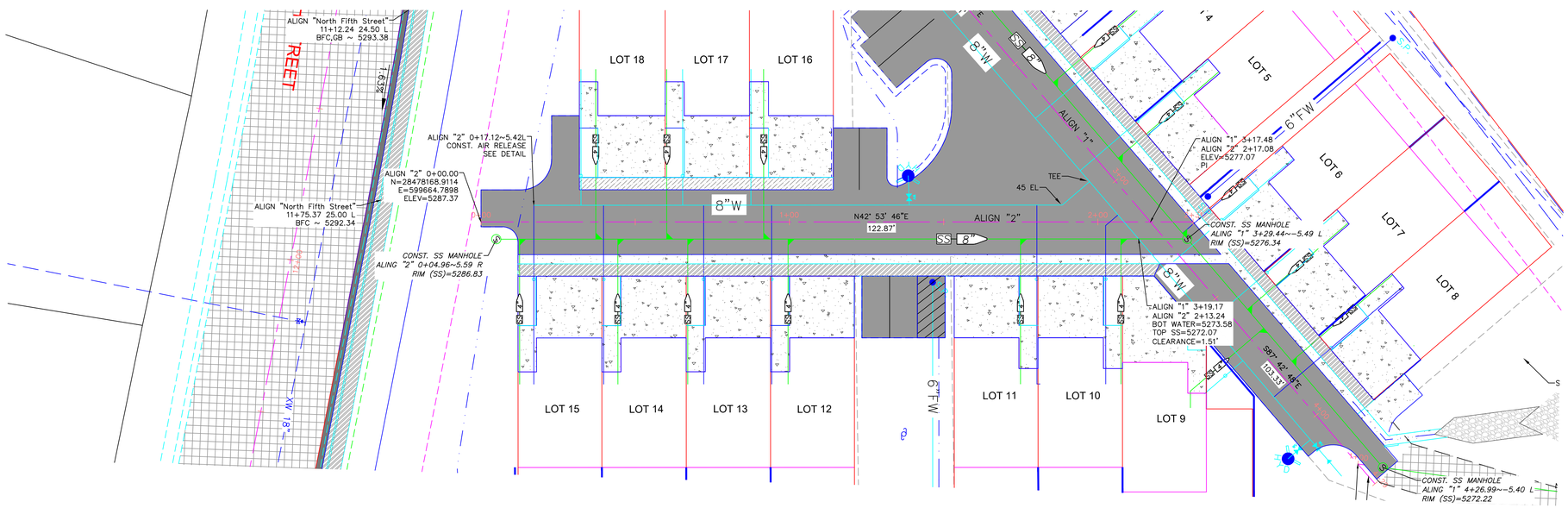
B
REVISION

TITLE:
JARBIDGE ESTATES
TOWN HOME SUBDIVISION
SITE CONSTRUCTION DRAWINGS
PLAN & PROFILE
ALIGN "1"

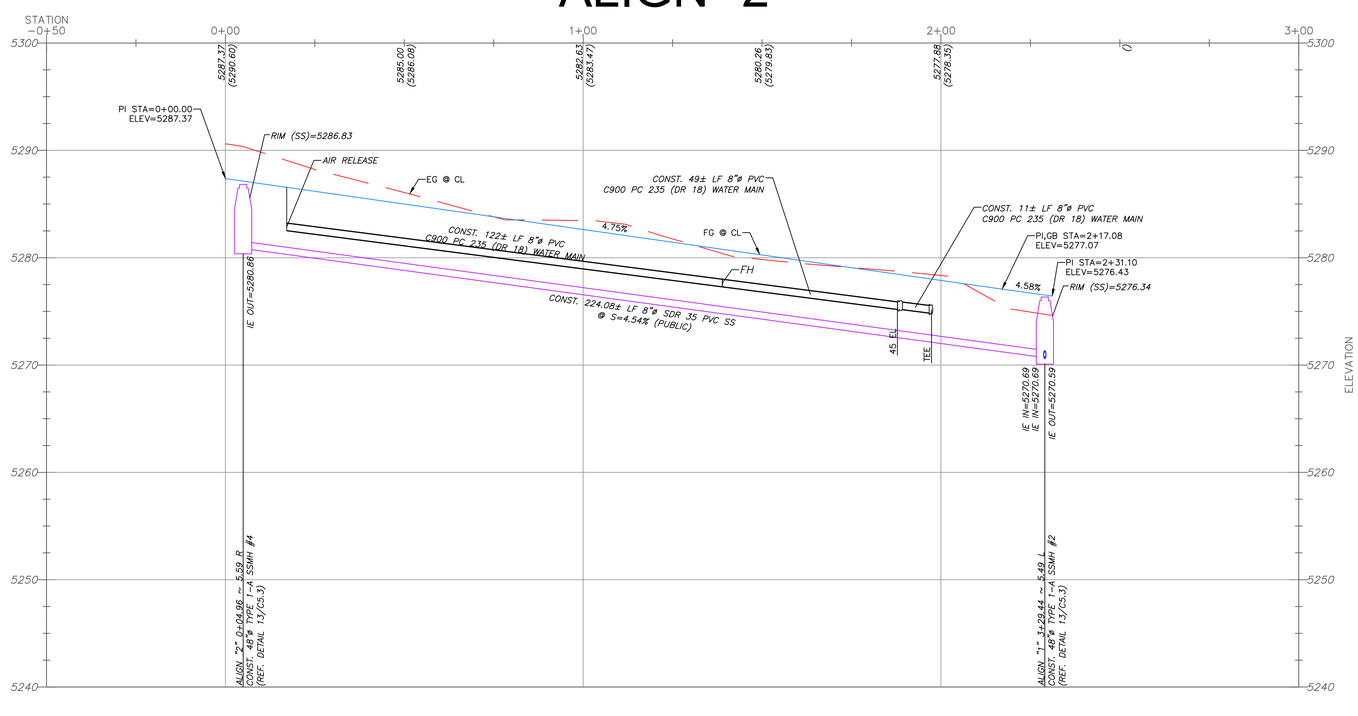
SHEET No.
C3.1

GRAPHIC SCALE

(IN FEET)
1 inch = 20 ft.



ALIGN "2"



REGISTERED PROFESSIONAL ENGINEER
MICHAEL E. SHANKS
6/7/21
CIVIL
No. 10385
EXPIRES: 6/30/22

PREPARED BY:
Shanks Enterprises
982 WOLF CR. DR.
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775-934-9356
shankseng@gmail.com

No.	DESCRIPTION	BY	DATE
A	ISSUE FOR REVIEW	MES	5/24/21
B	NO CORRECTIONS ON THIS SHEET	MES	6/7/21

REVISIONS

REFERENCE

DESIGNED	MES	5/24/21
DRAWN	MES	5/24/21
CHECKED	MES	5/24/21
APPROVED		
APPROVED		

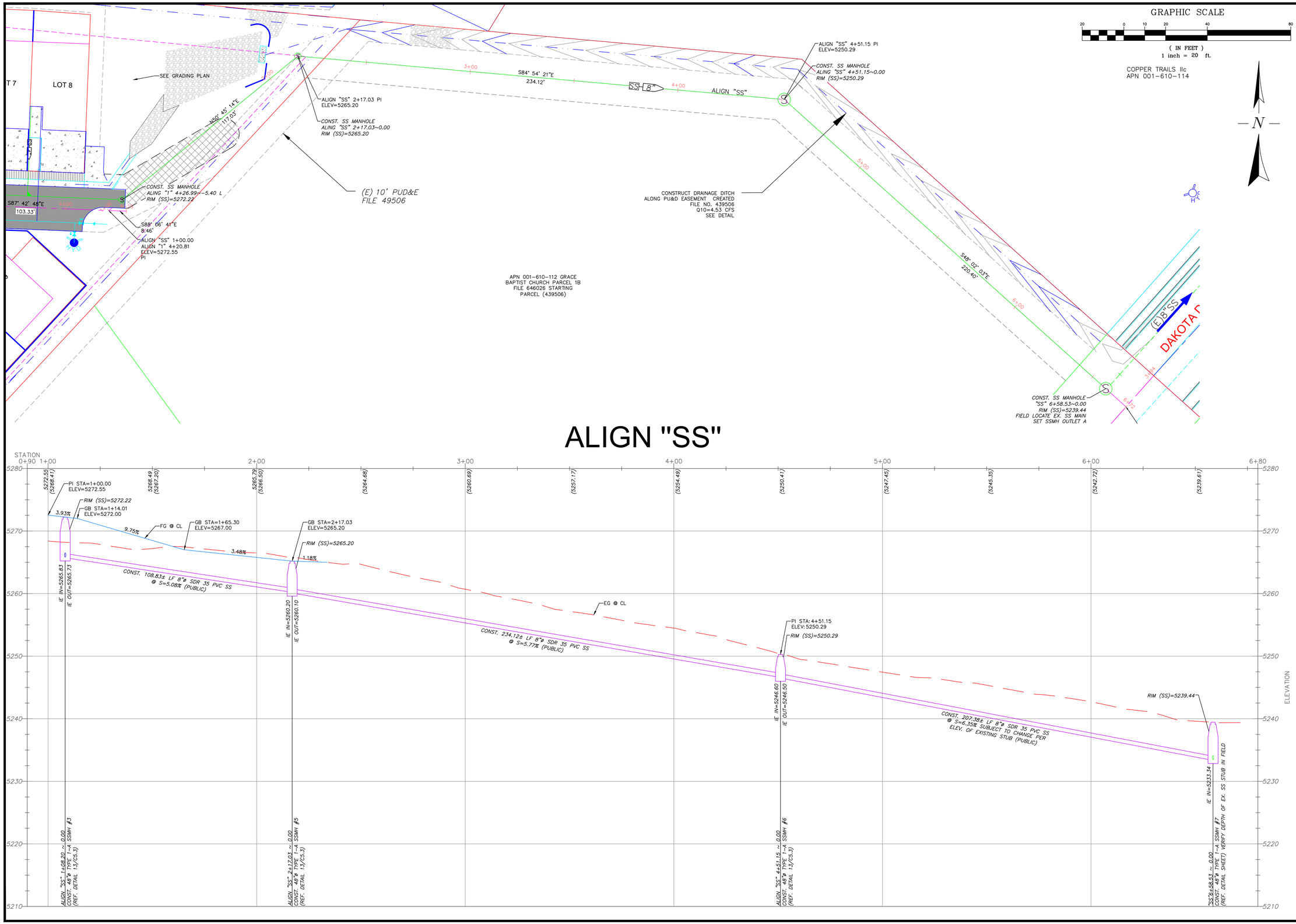
PREPARED FOR:
LEGION CONS. AND DEVEL., LLC
427 WONG WAY
SPRING CREEK, NEVADA

DRAWING NO. 2002160
SCALE: AS SHOWN
PROJECT No.: 2002160
DRAWING NAME: N5TH TOWN HOME SBD

B REVISION

TITLE:
JARBIDGE ESTATES
TOWN HOME SUBDIVISION
SITE CONSTRUCTION DRAWINGS
PLAN & PROFILE
ALIGN "2"

SHEET No. C3.2



REGISTERED PROFESSIONAL ENGINEER
MICHAEL E. SHANKS
5/7/21
CIVIL
No. 10385
STATE OF NEVADA
EXPIRES: 6/30/22

PREPARED BY:
Shanks Enterprises
982 WOLF CR. DR.
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775-934-9356
shankseng@gmail.com

REVISIONS				
No.	DESCRIPTION	BY	DATE	
A	ISSUE FOR REVIEW	MES	5/24/21	
B	NO CORRECTIONS ON THIS SHEET	MES	6/7/21	

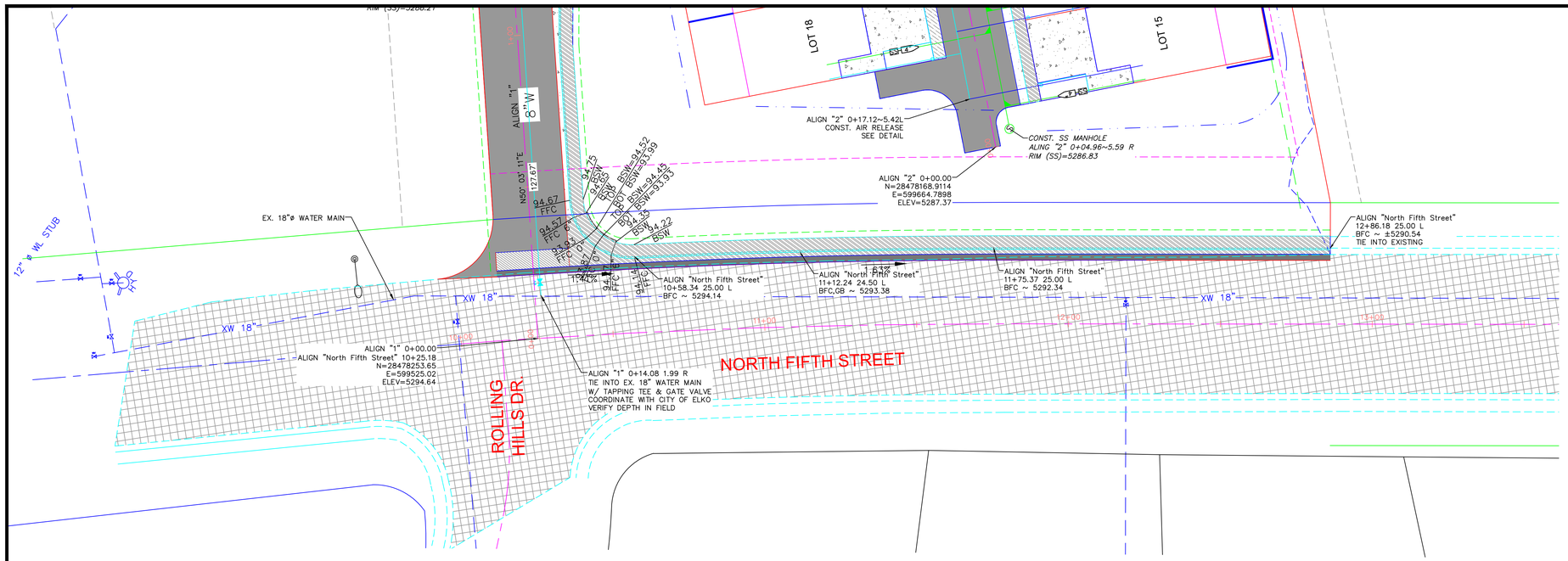
REFERENCE		
DESIGNED	MES	5/24/21
DRAWN	MES	5/24/21
CHECKED	MES	5/24/21
APPROVED		

PREPARED FOR:
LEGION CONS. AND DEVEL., LLC
427 WONG WAY
SPRING CREEK, NEVADA

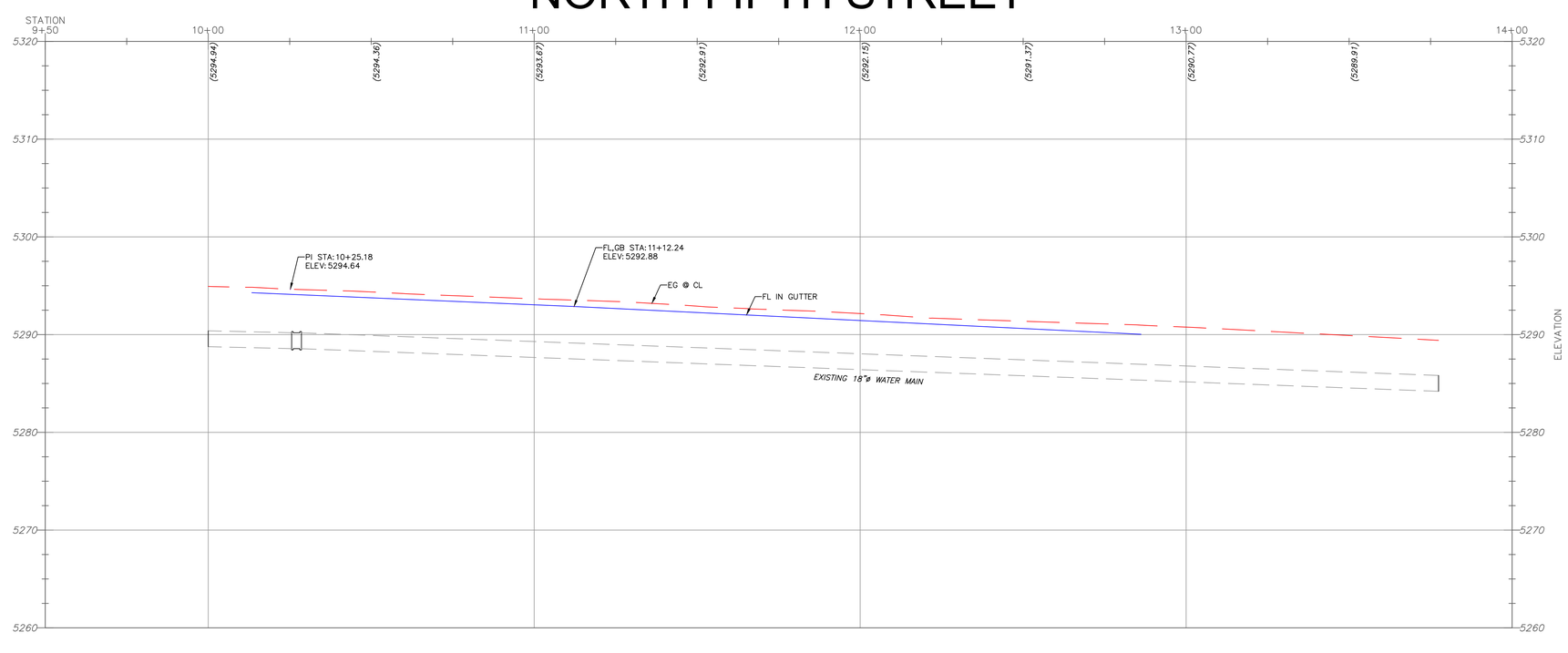
DRAWING NO. 2002160
SCALE: AS SHOWN
PROJECT No: 2002160
DRAWING NAME: NSTH TOWN HOME SBD
REVISION B

TITLE:
JARBIDGE ESTATES
TOWN HOME SUBDIVISION
SITE CONSTRUCTION DRAWINGS
PLAN & PROFILE
ALIGN "SS"

SHEET No. C3.3



NORTH FIFTH STREET



PREPARED BY:
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775-934-9356
shanksengr@gmail.com

REGISTERED PROFESSIONAL ENGINEER
MICHAEL E. SHANKS
5/7/21
CIVIL
No. 10385
STATE OF NEVADA
EXPIRES: 6/30/22

REVISIONS No.	DESCRIPTION	BY	DATE
A	ISSUE FOR REVIEW	MES	5/24/21
B	NO CORRECTIONS ON THIS SHEET	MES	6/7/21

REFERENCE		
DESIGNED	MES	5/24/21
DRAWN	MES	5/24/21
CHECKED	MES	5/24/21
APPROVED		

PREPARED FOR:
LEGION CONS. AND DEVEL., LLC
427 WONG WAY
SPRING CREEK, NEVADA

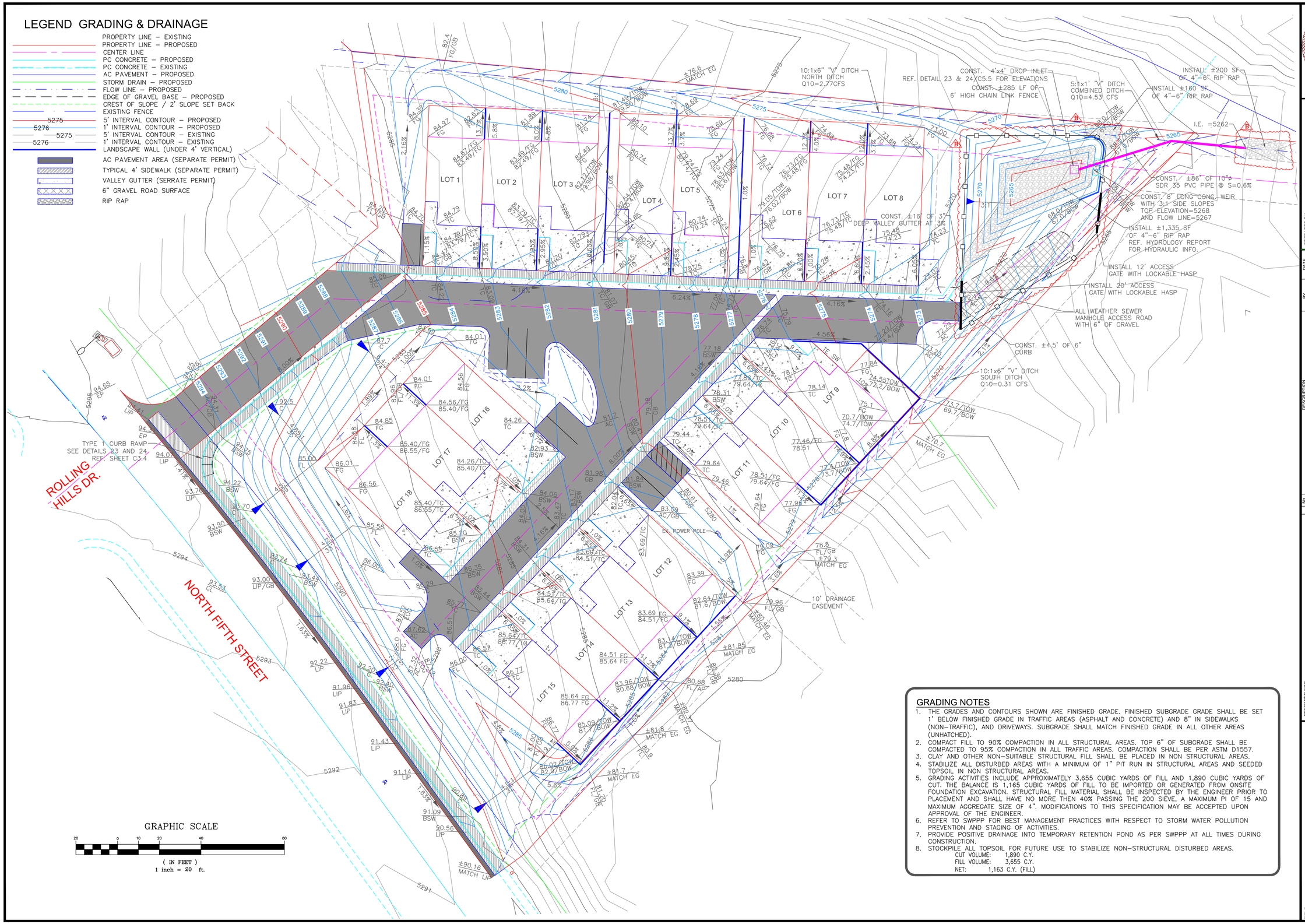
DRAWING NO. 2002160
SCALE AS SHOWN
PROJECT No. 2002160
DRAWING NAME NSTH TOWN HOME SHD
B
REVISION

TITLE:
JARBIDGE ESTATES
TOWN HOME SUBDIVISION
SITE CONSTRUCTION DRAWINGS
PLAN & PROFILE
NORTH FIFTH STREET

SHEET No. C3.4

LEGEND GRADING & DRAINAGE

- PROPERTY LINE – EXISTING
- PROPERTY LINE – PROPOSED
- CENTER LINE
- PC CONCRETE – PROPOSED
- PC CONCRETE – EXISTING
- AC PAVEMENT – PROPOSED
- STORM DRAIN – PROPOSED
- FLOW LINE – PROPOSED
- EDGE OF GRAVEL BASE – PROPOSED
- CREST OF SLOPE / 2' SLOPE SET BACK
- EXISTING FENCE
- 5275 — 5' INTERVAL CONTOUR – PROPOSED
- 5276 — 1' INTERVAL CONTOUR – PROPOSED
- 5275 — 5' INTERVAL CONTOUR – EXISTING
- 5276 — 1' INTERVAL CONTOUR – EXISTING
- LANDSCAPE WALL (UNDER 4' VERTICAL)
- AC PAVEMENT AREA (SEPARATE PERMIT)
- TYPICAL 4' SIDEWALK (SEPARATE PERMIT)
- VALLEY GUTTER (SERRATE PERMIT)
- 6" GRAVEL ROAD SURFACE
- RIP RAP



GRADING NOTES

1. THE GRADES AND CONTOURS SHOWN ARE FINISHED GRADE. FINISHED SUBGRADE GRADE SHALL BE SET 1' BELOW FINISHED GRADE IN TRAFFIC AREAS (ASPHALT AND CONCRETE) AND 8" IN SIDEWALKS (NON–TRAFFIC), AND DRIVEWAYS. SUBGRADE SHALL MATCH FINISHED GRADE IN ALL OTHER AREAS (UNHATCHED).
2. COMPACT FILL TO 90% COMPACTION IN ALL STRUCTURAL AREAS. TOP 6" OF SUBGRADE SHALL BE COMPACTED TO 95% COMPACTION IN ALL TRAFFIC AREAS. COMPACTION SHALL BE PER ASTM D1557.
3. CLAY AND OTHER NON–SUITABLE STRUCTURAL FILL SHALL BE PLACED IN NON STRUCTURAL AREAS.
4. STABILIZE ALL DISTURBED AREAS WITH A MINIMUM OF 1" PIT RUN IN STRUCTURAL AREAS AND SEEDED TOPSOIL IN NON STRUCTURAL AREAS.
5. GRADING ACTIVITIES INCLUDE APPROXIMATELY 3,655 CUBIC YARDS OF FILL AND 1,890 CUBIC YARDS OF CUT. THE BALANCE IS 1,165 CUBIC YARDS OF FILL TO BE IMPORTED OR GENERATED FROM ONSITE FOUNDATION EXCAVATION. STRUCTURAL FILL MATERIAL SHALL BE INSPECTED BY THE ENGINEER PRIOR TO PLACEMENT AND SHALL HAVE NO MORE THEN 40% PASSING THE 200 SIEVE, A MAXIMUM PI OF 15 AND MAXIMUM AGGREGATE SIZE OF 4". MODIFICATIONS TO THIS SPECIFICATION MAY BE ACCEPTED UPON APPROVAL OF THE ENGINEER.
6. REFER TO SWPPP FOR BEST MANAGEMENT PRACTICES WITH RESPECT TO STORM WATER POLLUTION PREVENTION AND STAGING OF ACTIVITIES.
7. PROVIDE POSITIVE DRAINAGE INTO TEMPORARY RETENTION POND AS PER SWPPP AT ALL TIMES DURING CONSTRUCTION.
8. STOCKPILE ALL TOPSOIL FOR FUTURE USE TO STABILIZE NON–STRUCTURAL DISTURBED AREAS.

CUT VOLUME:	1,890 C.Y.
FILL VOLUME:	3,655 C.Y.
NET:	1,163 C.Y. (FILL)

REGISTERED PROFESSIONAL ENGINEER — MICHAEL E. SHANKS — 07721 — CIVIL — No. 10385 — STATE OF NEVADA

EXPIRES: 6/30/22

PREPARED BY:
Shanks Enterprises
982 WOLF CR. DR.
SPRING CREEK, NEVADA 89815
775-934-9356
shankseng@gmail.com

REVISIONS No.	DESCRIPTION	BY	DATE
A	ISSUE FOR REVIEW	MES	5/24/21
B	SLOPES ON POND CORRECTED TO 3:1 AND RIP RAP ADDED	MES	6/7/21

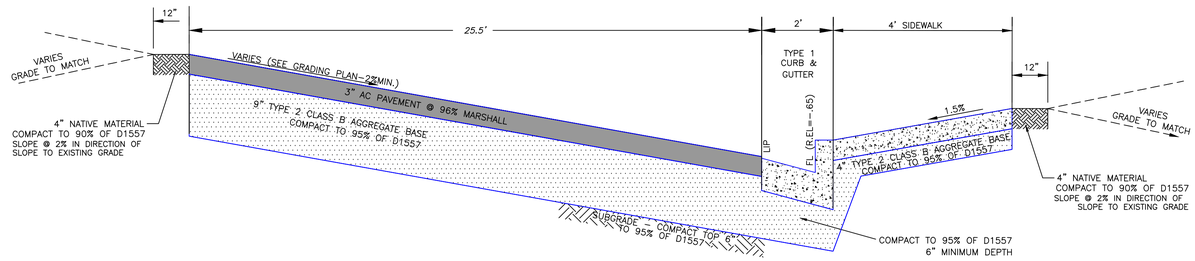
REFERENCE		
DESIGNED	MES	5/24/21
DRAWN	MES	5/24/21
CHECKED	MES	5/24/21
APPROVED		
APPROVED		

PREPARED FOR:
LEGION CONS. AND DEVEL., LLC
427 WONG WAY
SPRING CREEK, NEVADA

DRAWING NO. 2002160
SCALE: AS SHOWN
PROJECT No. 2002160
DRAWING NAME: N3TH TOWN HOME .SWD
REVISION B

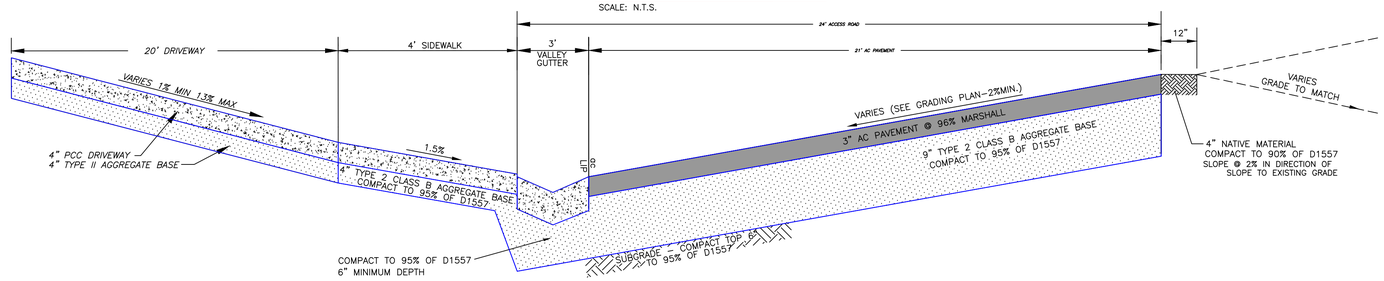
TITLE:
JARBIDGE ESTATES
TOWN HOME SUBDIVISION
SITE CONSTRUCTION DRAWINGS
GRADING & DRAINAGE PLAN

SHEET No. C4.1



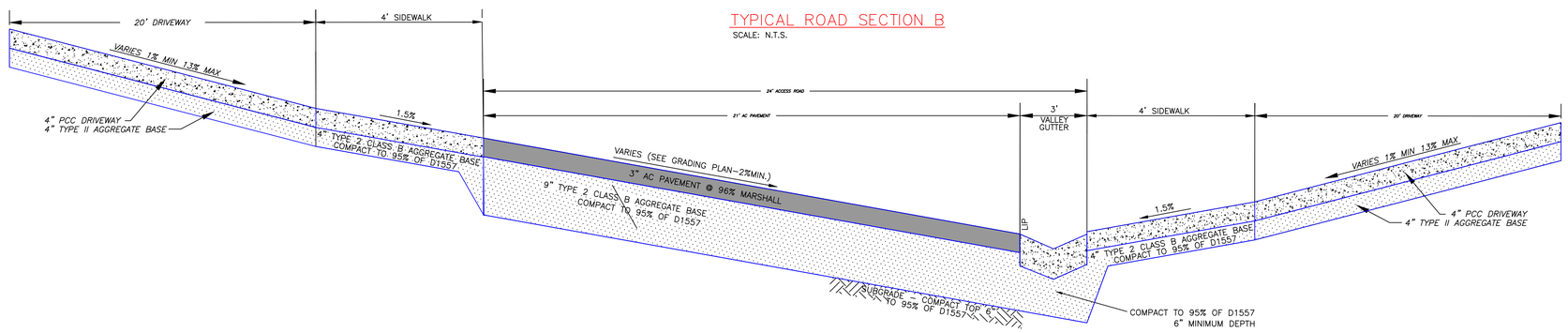
TYPICAL ROAD SECTION A

SCALE: N.T.S.



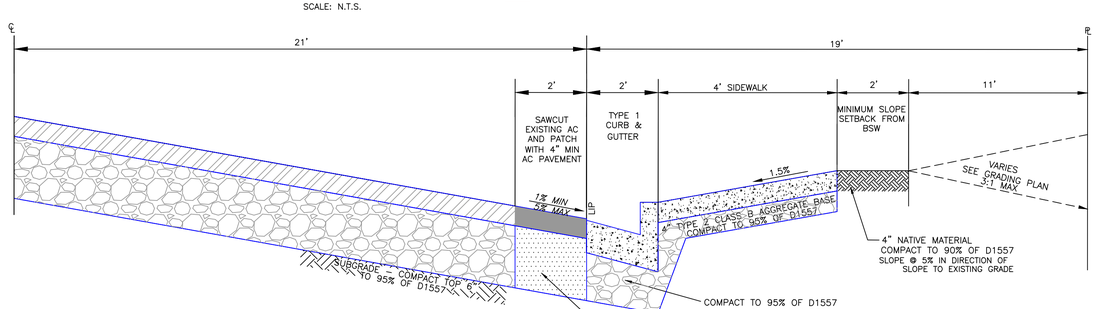
TYPICAL ROAD SECTION B

SCALE: N.T.S.



TYPICAL ROAD SECTION C

SCALE: N.T.S.



TYPICAL ROAD SECTION D

SCALE: N.T.S.

TYPICAL ROAD SECTIONS

TYPICAL ROAD SECTION LOCATION		
SECTION TYPE	ALIGNMENT	STATIONS
A	1	0+29 TO 1+70
B	1	1+70 TO 4+00
B	2	0+00 TO 0+93
C	2	0+93 TO 1+85
D	N. FIFTH ST.	10+58 TO 12+86

REGISTERED PROFESSIONAL ENGINEER
MICHAEL E. SHANKS
CIVIL
No. 10385
STATE OF NEVADA
EXPIRES: 6/30/22

PREPARED BY:
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REVISIONS				
No.	DESCRIPTION	BY	DATE
A	ISSUE FOR REVIEW	MES	5/24/21
B	NO CORRECTIONS ON THIS SHEET	MES	6/7/21

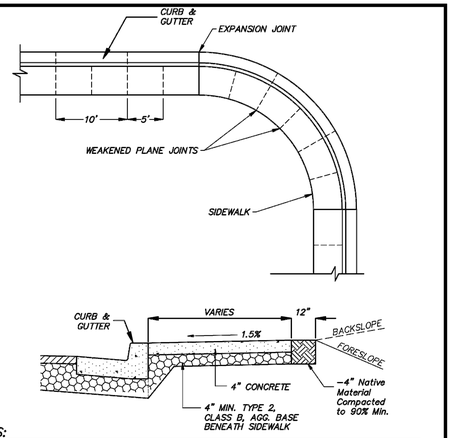
REFERENCE		
DESIGNED	MES	5/24/21
DRAWN	MES	5/24/21
CHECKED	MES	5/24/21
APPROVED		
APPROVED		

PREPARED FOR:
LEGION CONS. AND DEVEL., LLC
427 WONG WAY
SPRING CREEK, NEVADA

DRAWING NO.
2002160
SCALE: AS SHOWN
PROJECT No: 2002160
DRAWING NAME: NORTH TOWN HOME SRD
B
REVISION

TITLE:
JARBIDGE ESTATES
TOWN HOME SUBDIVISION
SITE CONSTRUCTION DRAWINGS
DETAILS - ROAD SECTIONS

SHEET No.
C5.1

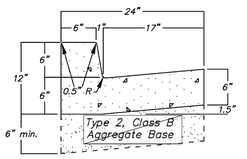


NOTES:

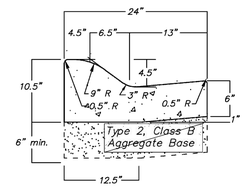
1. CONCRETE SHALL MEET THE REQUIREMENTS OF SECTION 337.10 OF THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION.
2. ALL CONCRETE SIDEWALK SHALL HAVE ½" EXPANSION JOINTS EVERY 30 FEET AND AT ALL CURB RETURNS. WEAKENED PLANE JOINTS SHALL BE EVERY 5 FEET AND COINCIDE WITH THE ADJACENT CURB AND GUTTER WEAKENED PLANE JOINTS. THE WEAKENED PLANE JOINTS PLACED EVERY 5' IN THE SIDEWALK MAY BE SAWCUT WITH CITY OF ELKO APPROVAL AND SHALL MEET THE REQUIREMENTS OF SECTION 314 OF THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION.
3. AGGREGATE BASE MATERIAL SHALL MEET THE REQUIREMENTS OF SECTION 302 & 308 OF THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION.
4. FORESLOPES & BACKSLOPES SHALL BE APPROVED BY THE CITY OF ELKO PRIOR TO CONSTRUCTING.
5. CROSS SLOPE OF SIDEWALK SHALL NOT EXCEED 2%.

NO.	REVISION	DATE	STANDARD DETAILS FOR PUBLIC WORKS CONSTRUCTION	SECTION ROADWAY	
			SIDEWALK	DRAWING NO. R-3.1	
			CITY OF ELKO, NEVADA	DATE 11/30/07	PAGE 1

1 / C5.2 C.O.E. SIDEWALK DETAIL
NTS



TYPE 1 CURB & GUTTER



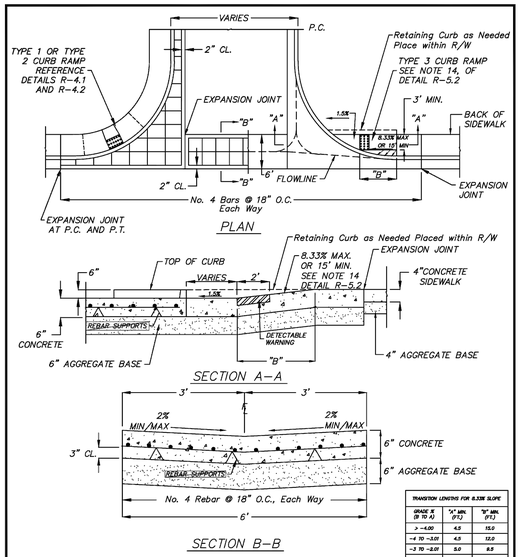
TYPE 2 CURB & GUTTER

NOTES:

1. CONCRETE SHALL MEET THE REQUIREMENTS OF SECTION 337.10 OF THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION.
2. AGGREGATE BASE MATERIAL SHALL MEET THE REQUIREMENTS OF SECTIONS 302 & 308 OF THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION.
3. ALL CONRETE CURB AND GUTTER SHALL HAVE ½" EXPANSION JOINTS EVERY 90 FEET AND AT ALL CURB RETURNS. WEAKENED PLANE JOINTS SHALL BE EVERY 10 FEET.
4. PLANTMIX BITUMINOUS SURFACE SHALL BE ½" TO ½" ABOVE LIP OF GUTTER PAN.

NO.	REVISION	DATE	STANDARD DETAILS FOR PUBLIC WORKS CONSTRUCTION	SECTION ROADWAY	
1	4.5" – TYPE 2	8/21/19	TYPE 1 & 2 CURB & GUTTER	DRAWING NO. R-2.1	
			CITY OF ELKO, NEVADA	DATE 8/23/2019	PAGE 1

2 / C5.2 C.O.E. TYPE 1&2 CURB AND GUTTER
NTS

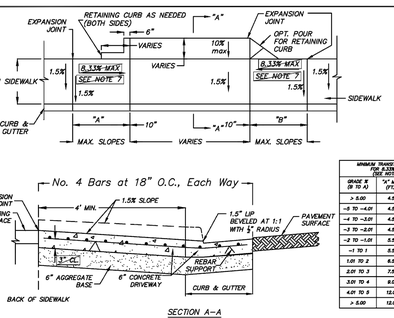


TRANSITION LENGTHS FOR 8.33% SLOPE		
GRADE N (IN TO A)	"A" MIN. (FT.)	"B" MIN. (FT.)
> -4.00	4.5	15.0
-4 TO -3.01	4.5	13.0
-3 TO -2.01	5.0	8.5
-2 TO -1.01	5.5	8.0
-1 TO 1	7.0	7.0
1.01 TO 2	8.0	5.5
2.01 TO 3	9.5	5.0
3.01 TO 4	12.0	4.5
> 4.00	15.0	4.5

* SEE NOTES – VALLEY GUTTER WITH APRON

NO.	REVISION	DATE	STANDARD DETAILS FOR PUBLIC WORKS CONSTRUCTION	SECTION ROADWAY	
1	2%min/max	1/20/21	VALLEY GUTTER WITH APRON TYPE 3 CURB RAMP	DRAWING NO. R-5.1	
			CITY OF ELKO, NEVADA	DATE 1/20/2021	PAGE 1

3 / C5.2 C.O.E. VALLEY GUTTER WITH APRON
NTS TYPE 3 CURB RAMP



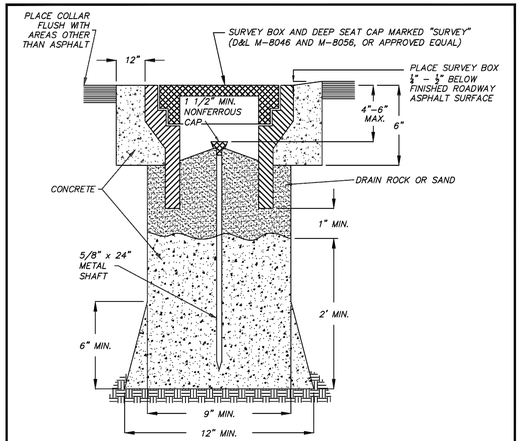
MINIMUM TRANSITION LENGTHS FOR 8.33% SLOPE (SEE NOTE 7)		
GRADE N (IN TO A)	"A" MIN. (FT.)	"B" MIN. (FT.)
> 5.00	4.5	15.0
-5 TO -4.01	4.5	12.0
-4 TO -3.01	4.5	8.0
-3 TO -2.01	4.5	7.5
-2 TO -1.01	5.5	6.5
-1 TO 1	5.5	5.5
1.01 TO 2	6.5	5.5
2.01 TO 3	7.5	4.5
3.01 TO 4	9.0	4.5
4.01 TO 5	12.0	4.5
> 5.00	12.0	4.5

NOTES:

1. CONCRETE SHALL MEET THE REQUIREMENTS OF SECTION 337.10 OF THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION.
2. AGGREGATE BASE MATERIAL SHALL MEET THE REQUIREMENTS OF SECTION 302 & 308 OF THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION.
3. CONCRETE DRIVEWAY CAN BE POURED MONOLITHICALLY WITH CURB & GUTTER.
4. FOR COMMERCIAL CONCRETE DRIVEWAYS, USE NO. 4 REINFORCING STEEL AT 18" O.C., EACH WAY. RESIDENTIAL CONCRETE DRIVEWAYS DO NOT REQUIRE REINFORCING STEEL. REINFORCING STEEL SHALL MEET THE REQUIREMENTS OF SECTION 326 OF THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION.
5. CROSS SLOPE OF SIDEWALK AND 4 FOOT MIN. AREA OF DRIVEWAY SHALL NOT EXCEED 2%.
6. REMOVAL OF EXISTING IMPROVEMENTS SHALL MEET THE REQUIREMENTS OF SECTION 301 OF THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION.
7. PER THE PROWAG, SECTION R304.3.2, THE RUNNING SLOPE OF A CURB RAMP SHALL BE 8.33% MAX, BUT SHALL NOT REQUIRE THE RAMP LENGTH TO EXCEED 15.0 FEET. ON STEEP STREETS OR INTERSECTIONS, THE TRANSITION TO FULL HEIGHT CURB MAY HAPPEN IN THE FIRST 15' MINIMUM, AND THE RESULTING SLOPE OF THE RAMP IS ALLOWED TO EXCEED 8.33%.

NO.	REVISION	DATE	STANDARD DETAILS FOR PUBLIC WORKS CONSTRUCTION	SECTION ROADWAY	
			TYPE 2 DRIVEWAY	DRAWING NO. R-6.2	
			CITY OF ELKO, NEVADA	DATE 8/17/20	PAGE 1

4 / C5.2 C.O.E. TYPE 2 DRIVEWAY
NTS

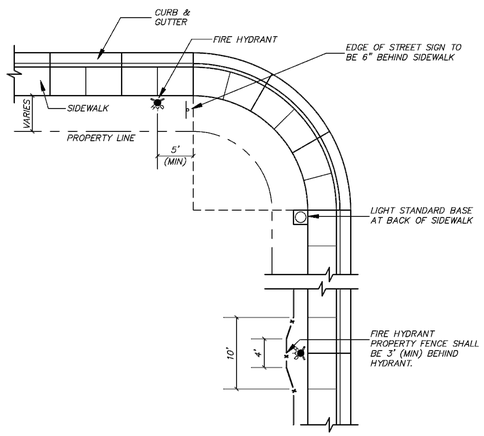


NOTES:

1. FERROUS METAL OVER MONUMENT FOR RECOVERY BY DIP NEEDLE OR MAGNETIC INSERT IN CAP.
2. 1 1/2" MIN. NONFERROUS CAP WITH PROFESSIONAL LAND SURVEYOR NO. PERMANENTLY ATTACHED PRIOR TO PLACEMENT.
3. ⅝" METALLIC SHAFT (SMOOTH SHAFTS TO BE DEFORMED).
4. MONUMENT INSTALLATION SHALL MEET THE REQUIREMENTS OF SECTION 216 & 334 OF THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION.
5. SCORE CONCRETE COLLAR AS PER MANHOLE COLLAR AS SHOWN ON DRAWING U-5.1.

NO.	REVISION	DATE	STANDARD DETAILS FOR PUBLIC WORKS CONSTRUCTION	SECTION ROADWAY	
1	lar	10/08/08	MONUMENTS	DRAWING NO. R-8.1	
2	BT	10/26/16	CITY OF ELKO, NEVADA	DATE 10-26-16	PAGE 1

5 / C5.2 C.O.E. MONUMENTS
NTS

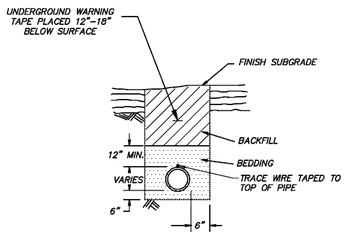


NOTES:

1. WHERE CONDITIONS DIFFER FROM THOSE SHOWN, UTILITIES MAY BE LOCATED WITHIN THE SIDEWALK SECTION WITH THE APPROVAL OF THE GOVERNING AGENCY.
2. WHEN FIRE HYDRANTS AND LIGHT STANDARDS ARE IN THE SAME VICINITY, THEY SHALL BE SEPARATED BY AT LEAST 5 FEET.
3. WHEN STOP SIGN IS LOCATED AT P.C., STREET SIGNS SHALL BE MOUNTED ON SAME POLE.
4. STREET SIGNS AT MID-RETURN SHALL BE LOCATED ADJACENT TO A PEDESTRIAN CURB RAMP, IF APPLICABLE.
5. WHERE CURB AND GUTTER DO NOT EXIST, EDGE OF STOP SIGN SHALL BE PLACED AT THE BEGINNING OF THE CURVE, 6 FEET FROM THE EDGE OF PAVEMENT.

NO.	REVISION	DATE	STANDARD DETAILS FOR PUBLIC WORKS CONSTRUCTION	SECTION UTILITIES	
			FIRE HYDRANT & STREET LIGHT LOCATIONS	DRAWING NO. U-1.1	
			CITY OF ELKO, NEVADA	DATE 11/30/07	PAGE 1

6 / C5.2 FIRE HYDRANT & STREET LIGHT LOCATIONS
NTS



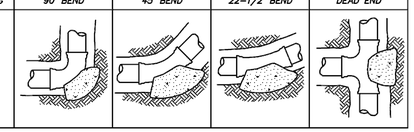
DUCTILE IRON PIPE, PVC, PE & HDPE PIPE

NOTES:

1. WATER DENSIFIED BACKFILL AND TUNNELING SHALL NOT BE ALLOWED.
2. BACKFILL SHALL MEET THE REQUIREMENTS FOR CLASS "E" BACKFILL WITH NO ROCKS SIZED OVER 4", COMPACTED IN 6" (MAX.) LIFTS TO 90% (MIN.) RELATIVE COMPACTION.
3. BEDDING MATERIAL FOR THE FOLLOWING PIPE SHALL MEET THE REQUIREMENTS OF SECTION 200 & 305 OF THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION AND COMPACTED TO A MINIMUM 90% RELATIVE COMPACTION.
   A) DUCTILE IRON PIPE – CLASS "C"
   B) ALL OTHER PIPE – CLASS "A"
4. FOR TRENCHES & EXCAVATIONS LOCATED WITHIN ROADWAY SECTION, SEE PAVEMENT PATCH DETAIL.
5. ALL TRENCHES AND EXCAVATIONS SHALL CONFORM TO THE LATEST EDITION OF O.S.H.A. AND M.U.T.C.D. REQUIREMENTS.
6. NATIVE MATERIAL MUST BE APPROVED BY THE CITY OF ELKO ENGINEER PRIOR TO USING AS BACKFILL OR BEDDING.
7. UNDERGROUND WARNING TAPE SHALL BE METALLIC AND APPROPRIATLY LABELED AND COLORED.

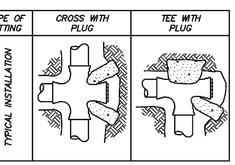
NO.	REVISION	DATE	STANDARD DETAILS FOR PUBLIC WORKS CONSTRUCTION	SECTION UTILITIES	
			TRENCH EXCAVATION & BACKFILL	DRAWING NO. U-2.1	
			CITY OF ELKO, NEVADA	DATE 11/30/07	PAGE 1

7 / C5.2 C.O.E. TRENCH EXCAVATION & BACKFILL
NTS

TYPE OF FITTING	90° BEND	45° BEND	11-1/4° OR 22-1/2° BEND	TEE OR DEAD END
TYPICAL INSTALLATION				

THRUST BLOCK BEARING AREA (SQ. FT.)

TYPE OF FITTING		90° BEND	45° BEND	11-1/4° OR 22-1/2° BEND	TEE OR DEAD END	TEE WITH PLUG	CROSS WITH PLUG
SIZE OF PIPE	4"	2	1	1	2	2	2
	6"	4	4	2	4	4	4
	8"	7	4	2	5	7	7
	10"	12	6	3	8	12	12
	12"	16	10	5	12	16	16
	14"	20	12	6	14	20	20
	16"	27	15	8	18	27	27
	18"	45	25	13	32	45	45
	24"	65	35	18	46	65	65

TYPE OF FITTING	CROSS WITH PLUG	TEE WITH PLUG
TYPICAL INSTALLATION		

NOTES:

1. CONCRETE FOR THRUST BLOCKS SHALL HAVE A 28 DAY STRENGTH OF 3000 PSI OR GREATER.
2. AREAS GIVEN ARE FOR CLASS 150 PIPE AT A TEST PRESSURE OF 150 PSI, WITH 2000 PSF BEARING CAPACITY. INSTALLATIONS USING DIFFERENT PIPE, TEST PROCEDURES, AND/OR SOIL TYPES SHOULD ADJUST AREAS ACCORDINGLY, SUBJECT TO THE APPROVAL OF THE ENGINEER.
3. THRUST BLOCKS ARE TO BE POURED AGAINST UNDISTURBED SOIL.
4. JOINTS AND FACES OF PLUGS TO BE KEPT CLEAR OF CONCRETE.
5. BOLT ON SADDLE TEES ARE EXEMPT FROM THRUST BLOCK REQUIREMENTS IF STATED IN MANUFACTURER'S TABULATED DATA.

NO.	REVISION	DATE	STANDARD DETAILS FOR PUBLIC WORKS CONSTRUCTION	SECTION UTILITIES	
			THRUST BLOCK BEARING AREAS	DRAWING NO. U-3.1	
			CITY OF ELKO, NEVADA	DATE 11/30/07	PAGE 1

8 / C5.2 C.O.E. THRUST BLOCK BEARING AREAS
NTS

REGISTERED PROFESSIONAL ENGINEER
MICHAEL E. SHANKS
6/7/21
CIVIL
No. 10385
STATE OF NEVADA
EXPIRES: 6/30/22

PREPARED BY:
Shanks Enterprises
982 WOLF CR. DR.
SPRING CREEK, NEVADA 89815
775-934-9356
shankseng@gmail.com

REVISIONS				
NO	DESCRIPTION	BY	DATE	
A	ISSUE FOR REVIEW	MES	5/24/21	
B	NO CORRECTIONS ON THIS SHEET	MES	6/7/21	

REFERENCE			
DESIGNED	MES	5/24/21	
DRAWN	MES	5/24/21	
CHECKED	MES	5/24/21	
APPROVED			

PREPARED FOR:
LEGION CONS. AND DEVEL., LLC
427 WONG WAY
SPRING CREEK, NEVADA

DRAWING NO. 200216
SCALE: AS SHOWN
PROJECT No. 200216D
DRAWING NAME: 16TH TOWN HOME SBD
REVISION B

TITLE:
JARBIDGE ESTATES
TOWN HOME SUBDIVISION
SITE CONSTRUCTION DRAWINGS
DETAILS – UTILITIES

SHEET No. C5.2

MANHOLES – GENERAL NOTES:

1. ALL MANHOLES SHALL MEET THE REQUIREMENTS OF SECTION 204 OF THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION.
2. MANHOLE COVERS SHALL BE IDENTIFIED AS STORM DRAIN, WATER OR SEWER CLEARLY DISPLAYED ON THE COVER.
3. ALL TRENCHES AND EXCAVATIONS SHALL CONFORM WITH THE LATEST EDITION OF THE O.S.H.A. REQUIREMENTS.
4. PRECAST MANHOLE SECTIONS, OTHER THAN GRADE RINGS, SHALL BE JOINED WITH FLEXIBLE PLASTIC GASKET MATERIAL SUCH AS "RAM–NEK" OR EQUAL AS PER MANUFACTURER'S RECOMMENDATIONS.
5. TYPE & SIZE OF MANHOLE TO BE CONSTRUCTED IN A PARTICULAR LOCATION SHALL BE DETERMINED BY THE PIPE SIZE, ALIGNMENT AND GRADE AS FOLLOWS:

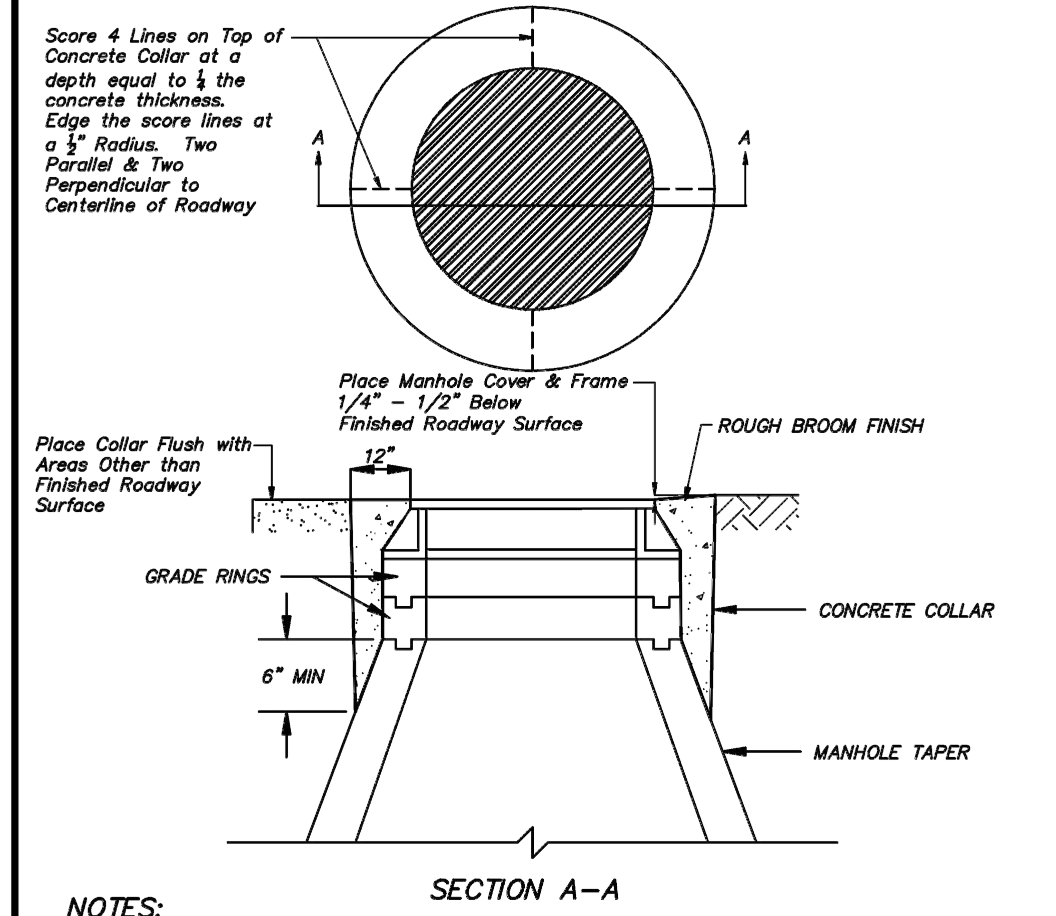
   TYPE 1 & 2

   48" SIZE
   - A. ALL CASES FOR PIPE 18" AND SMALLER.
   - B. 24" AND SMALLER PIPE ON TANGENT LINE & GRADE.

   60" SIZE
   - A. 27" THROUGH 36" PIPE ON TANGENT LINE AND GRADE.
   - B. 21" THROUGH 27" PIPE AT ANGLE POINTS AND CHANGES IN GRADE OR PIPE SIZE.
6. EXCAVATABLE SLURRY BACKFILL MAY BE USED AS STRUCTURAL BACKFILL FOR MANHOLES AND MUST MEET THE REQUIREMENTS OF SECTIONS 305.16 & 337.08 OF THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION.
7. THE TOTAL HEIGHT OF MANHOLE GRADE RINGS SHALL NOT EXCEED 12 INCHES.

NO.	REVISION	DATE	STANDARD DETAILS FOR PUBLIC WORKS CONSTRUCTION	SECTION UTILITIES
			MANHOLES GENERAL NOTES	DRAWING NO. U–4.1
			CITY OF ELKO, NEVADA	DATE 11/30/07 PAGE 1

9 / C5.3 C.O.E. MANHOLE GENERAL NOTES
NTS

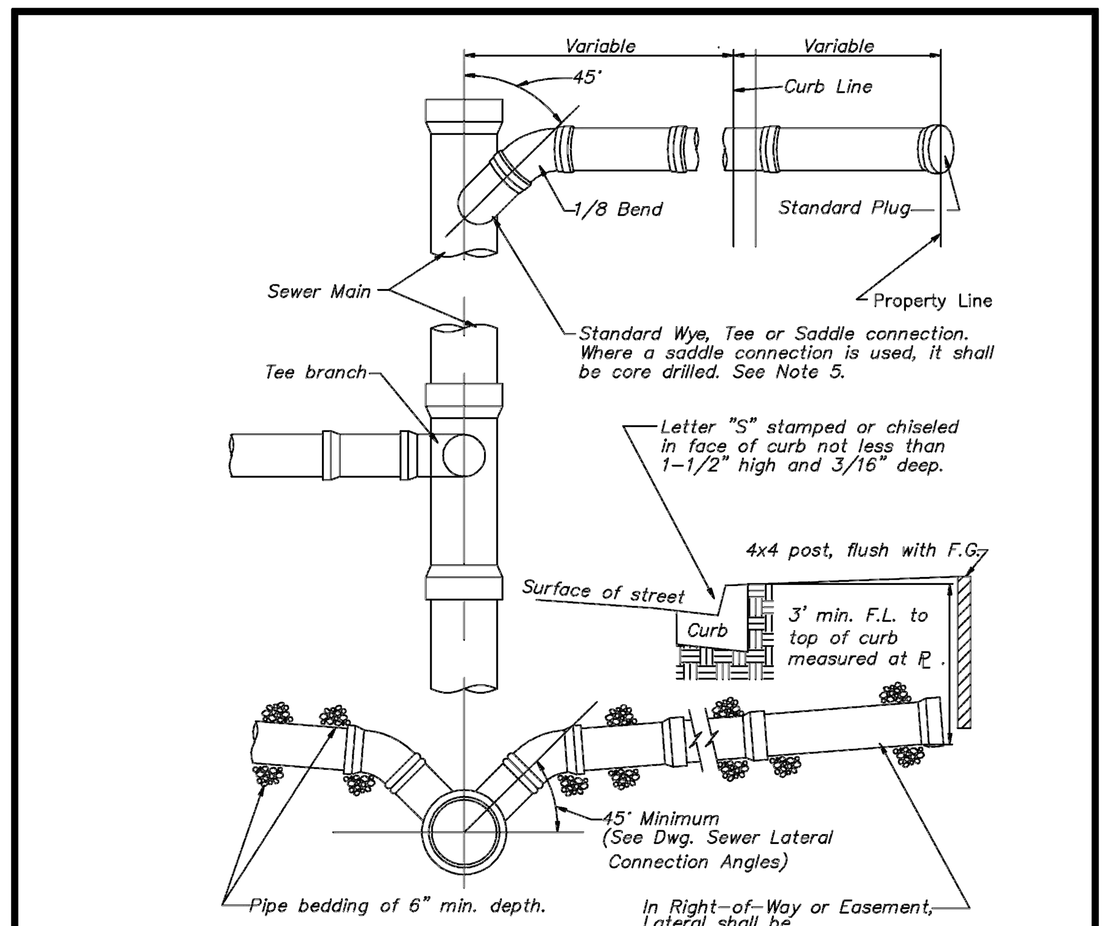


NOTES:

1. CONCRETE SHALL MEET THE REQUIREMENTS OF SECTION 337.10 OF THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION.
2. MANHOLE COVER & FRAME SHALL BE SET ¼" TO ½" BELOW FINISHED CONCRETE OR BITUMINOUS SURFACE. MANHOLE COLLARS IN ALL OTHER AREAS SHALL BE SET FLUSH WITH FINISHED GRADE, UNLESS OTHERWISE SPECIFIED.
3. CONCRETE COLLAR IS REQUIRED WHEN MANHOLE IS NOT LOCATED IN CONCRETE OR BITUMINOUS SURFACE.
4. REFER TO DETAIL SHEET (MANHOLE – GENERAL NOTES) FOR ADDITIONAL INFORMATION.

NO.	REVISION	DATE	STANDARD DETAILS FOR PUBLIC WORKS CONSTRUCTION	SECTION UTILITIES
1	lar	10/08/08	MANHOLE COLLAR	DRAWING NO. U–5.1
			CITY OF ELKO, NEVADA	DATE 11/30/07 PAGE 1

10 / C5.3 C.O.E. MANHOLE COLLAR
NTS

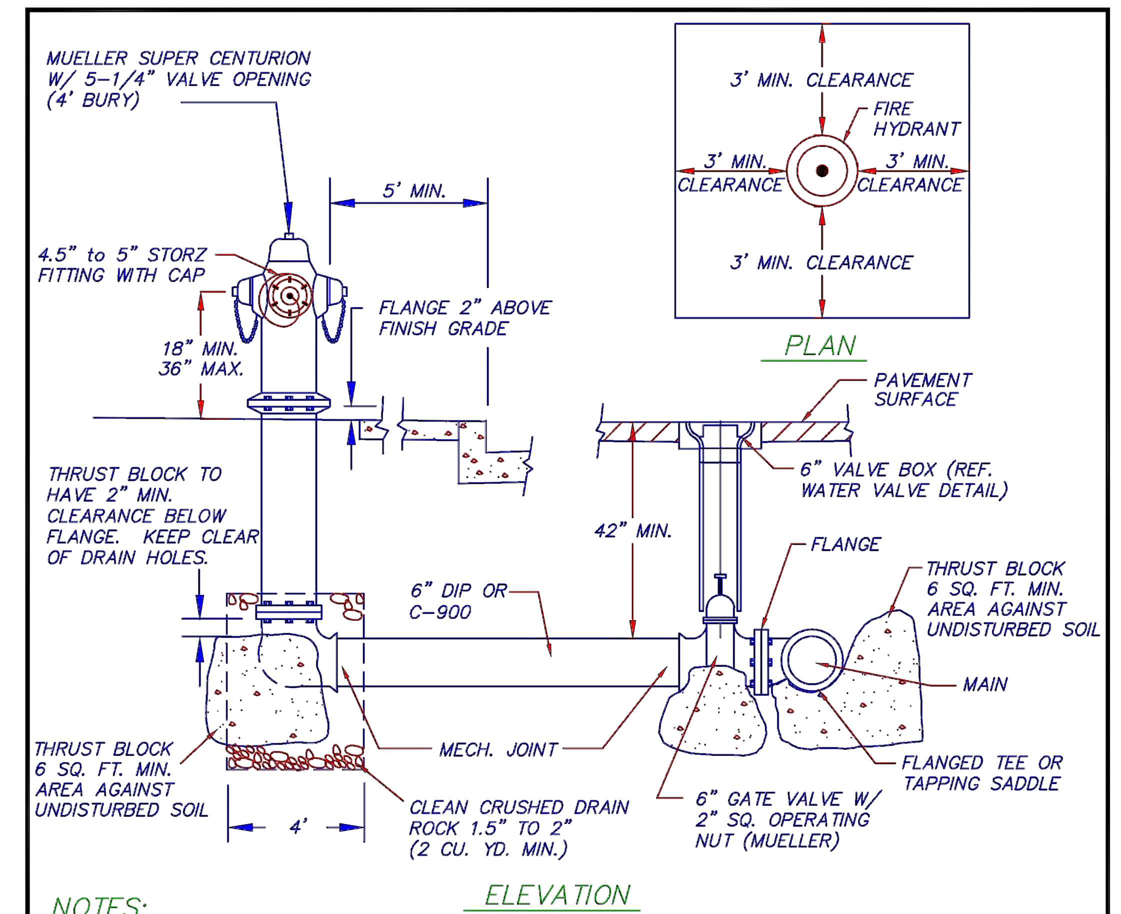


NOTES:

1. IN NO CASE SHALL A LATERAL CONNECT TO THE SEWER MAIN DIRECTLY ON TOP OR MATCH THE FLOWLINE OF THE PIPE.
2. SEWER LATERALS SHALL HAVE A MINIMUM SLOPE OF 2%.
3. ALL JOINTS ON SEWER LATERAL PIPE WITHIN THE RIGHT–OF–WAY SHALL BE COMPRESSION TYPE.
4. LATERAL SHALL EXTEND TO PROPERTY LINE UNLESS OTHERWISE SHOWN ON PLANS.
5. SADDLE CONNECTION SHALL BE PVC SADDLE WITH STAINLESS STEEL STRAPS.
6. ANY ABANDONED SEWER LATERAL IS THE RESPONSIBILITY OF THE CUSTOMER AND SHALL BE CUT AND CAPPED OR PLUGGED WITHIN 6 INCHES OF THE SEWER MAIN AND SUBJECT TO THE CITY OF ELKO'S APPROVAL.
7. SEWER MAIN/LATERAL CONNECTIONS SHALL MEET THE REQUIREMENTS OF NAC 445A.

NO.	REVISION	DATE	STANDARD DETAILS FOR PUBLIC WORKS CONSTRUCTION	SECTION UTILITIES
			SEWER LATERAL CONNECTION	DRAWING NO. U–6.1
			CITY OF ELKO, NEVADA	DATE 11/30/07 PAGE 1

11 / C5.3 C.O.E. SEWER LATERAL CONNECTION
NTS

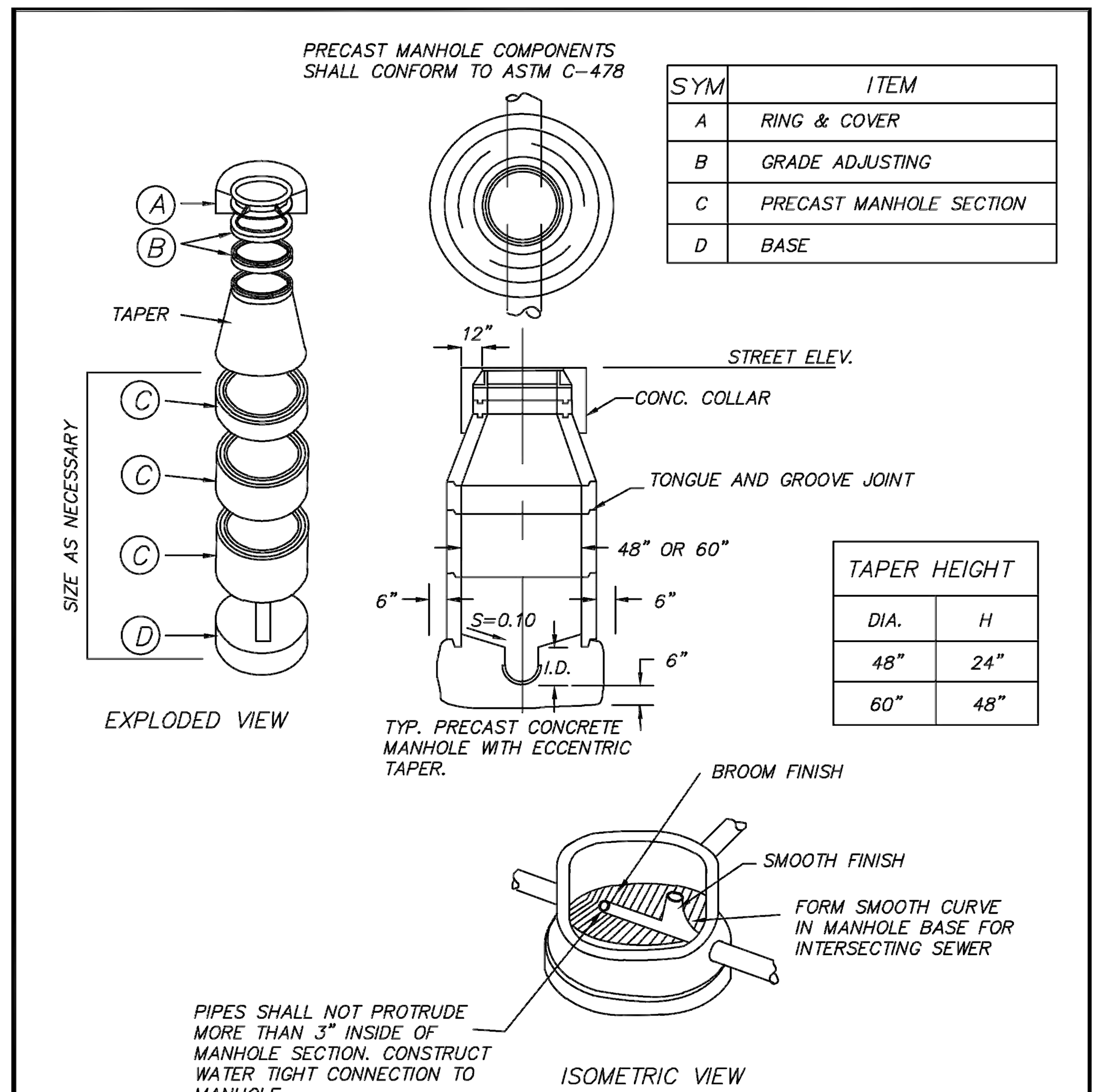


NOTES:

1. HYDRANTS SHALL BE ENAMELED RED.
2. ALL HYDRANTS SHALL HAVE (2) 2.5" PUMPER OUTLETS (MALE THREAD WITH CAP & CHAIN) AND (1) 4.5" STEAMER PUMPER OUTLET WITH 4.5" – 5" STORZ FEMALE CONNECT WITH CAP & CHAIN. ALL THREADS SHALL BE SPECIFIED FOR AMERICAN NATIONAL HOSE COUPLING.
3. OPERATING NUT SHALL BE 1.5" PENTAGON.
4. INSPECTION BY A CITY OF ELKO FIRE OR PUBLIC WORKS REPRESENTATIVE IS REQUIRED PRIOR TO BACKFILLING.
5. FOR FINAL ACCEPTANCE, A FLOW, FLUSH, & HYDROSTATIC TEST SHALL BE WITNESSED BY CITY OF ELKO FIRE DEPT./UTILITY DIRECTOR OR PUBLIC WORKS REPRESENTATIVE, PER FORM 13–97, "MATERIALS & TEST CERTIFICATE FOR UNDERGROUND PIPING".
6. ALL HYDRANT SHALL INCLUDE APPROVED TRAFFIC PROTECTION, 3' MINIMUM CLEARANCES, AND POSITIVE DRAINAGE AWAY FROM THE HYDRANT.

NO.	REVISION	DATE	STANDARD DETAILS FOR PUBLIC WORKS CONSTRUCTION	SECTION UTILITIES
1	C–900	11/14	FIRE HYDRANT	DRAWING NO. U–1.2
			CITY OF ELKO, NEVADA	DATE 11/30/07 PAGE 1

12 / C5.3 C.O.E. FIRE HYDRANT
NTS



SYM	ITEM
A	RING & COVER
B	GRADE ADJUSTING
C	PRECAST MANHOLE SECTION
D	BASE

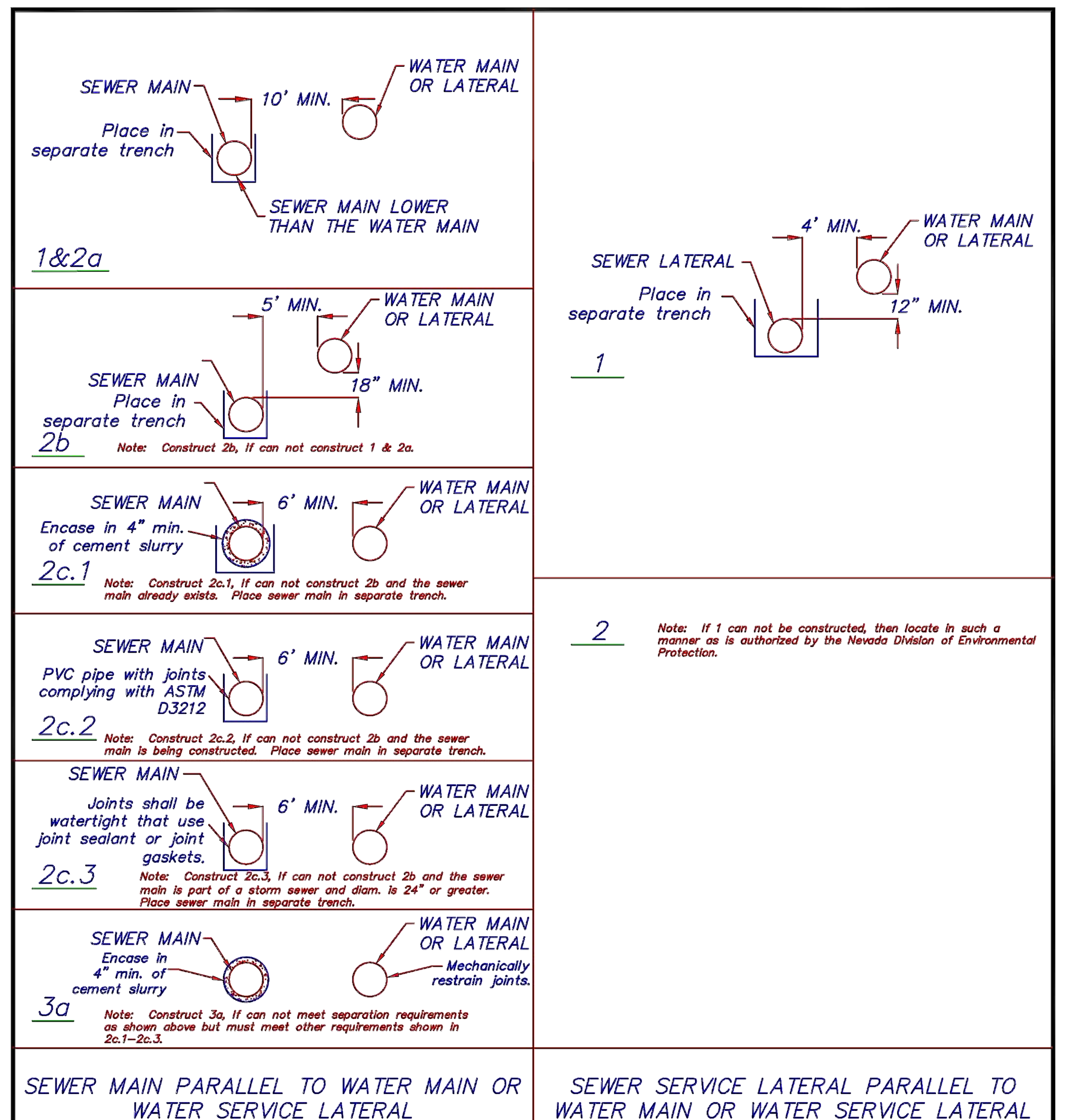
TAPER HEIGHT	
DIA.	H
48"	24"
60"	48"

NOTES:

1. PIPE SECTION LENGTHS ARRANGED TO FIT DEPTH.
2. PRECAST BASE MAY BE USED IF APPROVED BY GOVERNING AGENCY.
3. MANHOLE STEPS ARE NOT REQUIRED.
4. REFER TO DETAIL SHEET (MANHOLE – GENERAL NOTES) FOR ADDITIONAL INFORMATION.

NO.	REVISION	DATE	STANDARD DETAILS FOR PUBLIC WORKS CONSTRUCTION	SECTION UTILITIES
1	CONCENTRIC	9/16/19	TYPE 1 MANHOLE	DRAWING NO. U–4.2
			CITY OF ELKO, NEVADA	DATE 9/16/19 PAGE 1

13 / C5.3 C.O.E. TYPE 1 MANHOLE
NTS

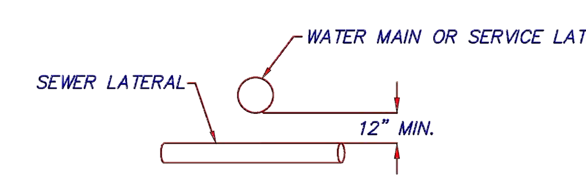


NOTES:

1. SEWER MAIN/LATERAL PARALLEL TO WATER MAIN OR WATER SERVICE LATERAL SHALL MEET THE REQUIREMENTS OF NAC 445A.67155 & NAC 445A.6716.

NO.	REVISION	DATE	STANDARD DETAILS FOR PUBLIC WORKS CONSTRUCTION	SECTION UTILITIES
			PARALLEL LINE SEPARATION SEWER LINE PARALLEL TO WATER MAIN/LATERAL	DRAWING NO. U–7.1
			CITY OF ELKO, NEVADA	DATE 11/30/07 PAGE 1

14 / C5.3 C.O.E. PARALLEL LINE SEPARATION
NTS SEWER LINE PARALLEL TO WATER



1

Note: If 1 can not be constructed, then locate sewer service lateral in such a manner as is authorized by the Nevada Division of Environmental Protection.

2A

Note: Construct 2a, If can not construct 1. If water main or water service lateral is in place at the time a sewer main is constructed and must be relocated to meet vertical clearance, the relocation shall be performed with the approval of and in accordance with the procedures & standards of the supplier of water.

2B

Note: Construct 2b, If can not construct 1. If water main or water service lateral is in place at the time a sewer main is constructed and must be relocated to meet vertical clearance, the relocation shall be performed in such a manner as is authorized by the Nevada Division of Environmental Protection.

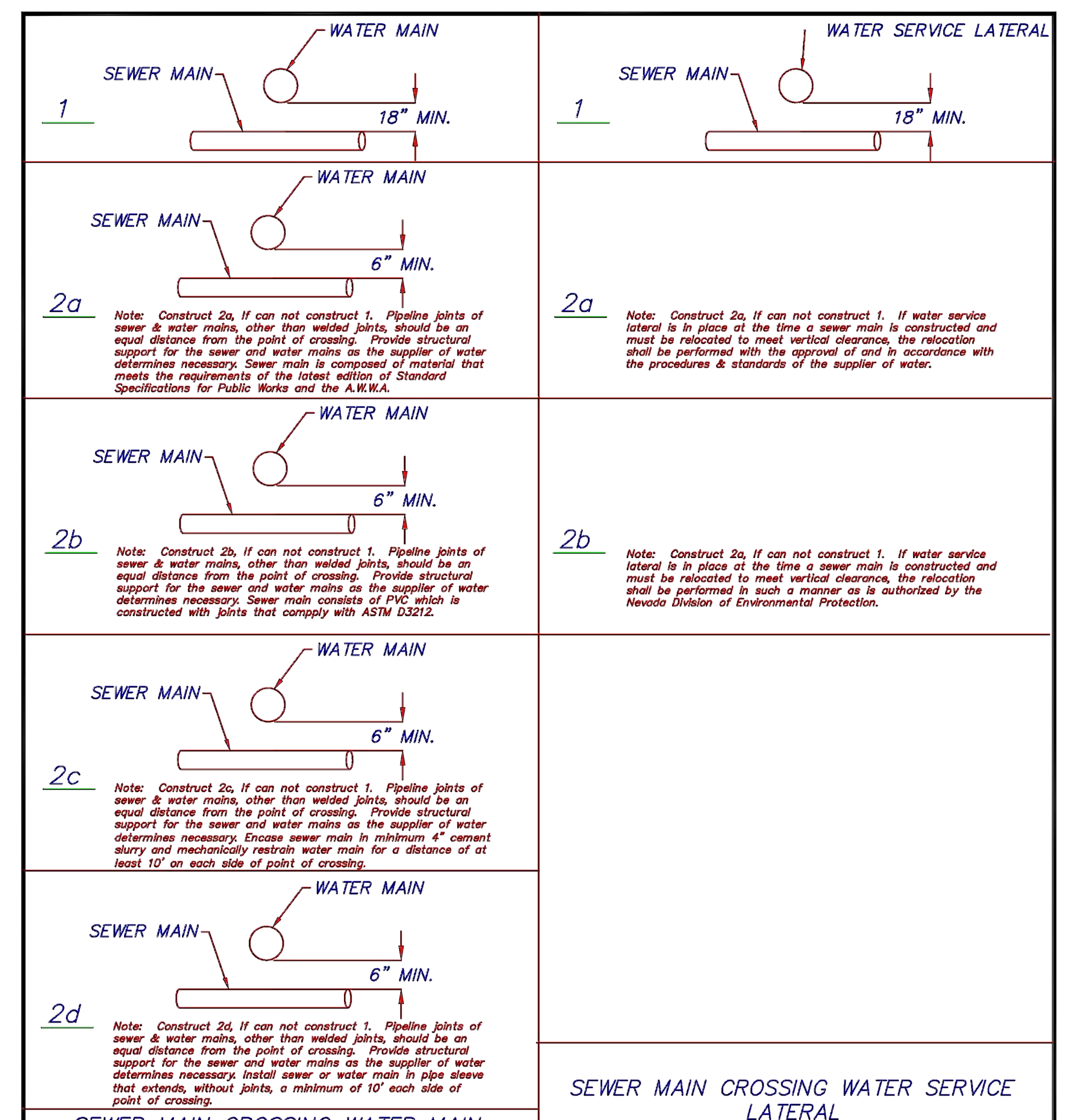
SEWER LATERAL CROSSING WATER MAIN OR WATER SERVICE LATERAL

NOTES:

1. SEWER SERVICE LATERAL CROSSING WATER MAIN OR WATER SERVICE LATERAL SHALL MEET THE REQUIREMENTS OF NAC 445A.67175.

NO.	REVISION	DATE	STANDARD DETAILS FOR PUBLIC WORKS CONSTRUCTION	SECTION UTILITIES
			CROSSING LINE SEPARATION SEWER LATERAL CROSSING WATER MAIN/LATERAL	DRAWING NO. U–8.1
			CITY OF ELKO, NEVADA	DATE 11/30/07 PAGE 1

15 / C5.3 C.O.E. CROSSING LINE SEPERATION
NTS



NOTES:

1. SEWER MAIN CROSSING WATER MAIN OR WATER SERVICE LATERAL SHALL MEET THE REQUIREMENTS OF NAC 445A.67165 & NAC 445A.6717.

NO.	REVISION	DATE	STANDARD DETAILS FOR PUBLIC WORKS CONSTRUCTION	SECTION UTILITIES
			CROSSING LINE SEPARATION SEWER MAIN CROSSING WATER MAIN/LATERAL	DRAWING NO. U–8.2
			CITY OF ELKO, NEVADA	DATE 11/30/07 PAGE 1

16 / C5.3 C.O.E. CROSSING LINE SEPARATION 2
NTS

REGISTERED PROFESSIONAL ENGINEER STATE OF NEVADA
MICHAEL E. SHANKS
6/7/21
CIVIL
No. 10385
EXPIRES: 6/30/22

PREPARED BY:
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No.	DESCRIPTION	BY	DATE
A	ISSUE FOR REVIEW	MES	5/24/21
B	NO CORRECTIONS ON THIS SHEET	MES	6/7/21

REVISIONS

	BY	DATE
DESIGNED	MES	5/24/21
DRAWN	MES	5/24/21
CHECKED	MES	5/24/21
APPROVED		
APPROVED		

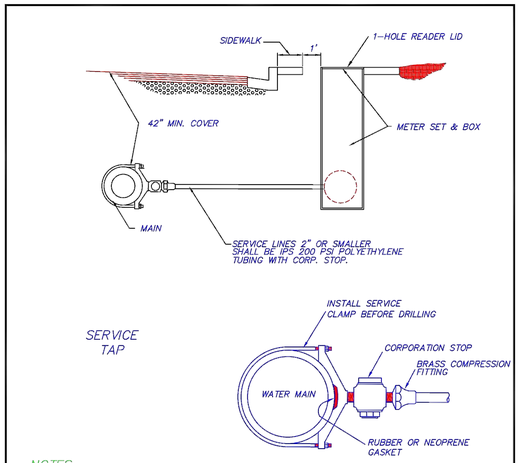
REFERENCE

PREPARED FOR:
LEGION CONS. AND DEVEL., LLC
427 WONG WAY
SPRING CREEK, NEVADA

DRAWING NO. 2002160
SCALE: AS SHOWN
PROJECT No.: 2002160
DRAWING NAME: N5TH TOWN HOME SBD
REVISION B

TITLE:
JARBIDGE ESTATES
TOWN HOME SUBDIVISION
SITE CONSTRUCTION DRAWINGS
DETAILS – UTILITIES

SHEET No. C5.3

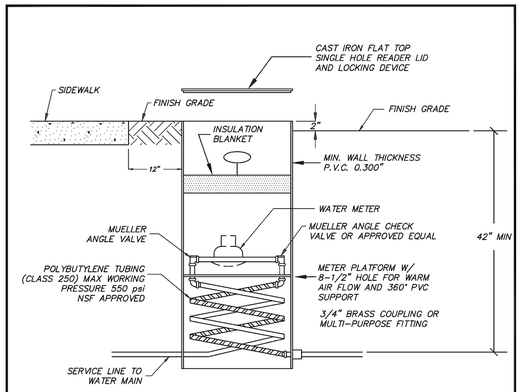


NOTES:

1. CORPORATION STOP, CURB STOP, (GATE VALVE 4" OR LARGER) AND SERVICE LINE TO BE SAME SIZE.
2. SERVICE CLAMPS SHALL BE DOUBLE STRAP FOR ALL SERVICE TAP SIZES, EXCEPT WHERE SIZE OF TAP EXCEEDS MANUFACTURER'S RECOMMENDED LIMIT FOR SIZE OF MAIN.
3. TAPS SHALL BE STAGGERED AND PLACED A MINIMUM OF 12" APART FOR DUCTILE IRON PIPE. TAPS SHALL BE STAGGERED AND PLACED A MINIMUM OF 18" APART FOR C900. NO TAPS SHALL BE CLOSER THAN 2 FEET FROM THE ENDS OF PIPE.
4. ALL JOINT FITTINGS SHALL BE OF BRASS COMPRESSION TYPE.

NO.	REVISION	DATE	STANDARD DETAILS FOR PUBLIC WORKS CONSTRUCTION	SECTION UTILITIES	
1	UPDATE	5/26/11	WATER SERVICE CONNECTION	DRAWING NO. U-12.1	
			CITY OF ELKO, NEVADA	DATE 11/30/07	PAGE 1

17 / C5.4 C.O.E. WATER SERVICE CONNECTION
NTS

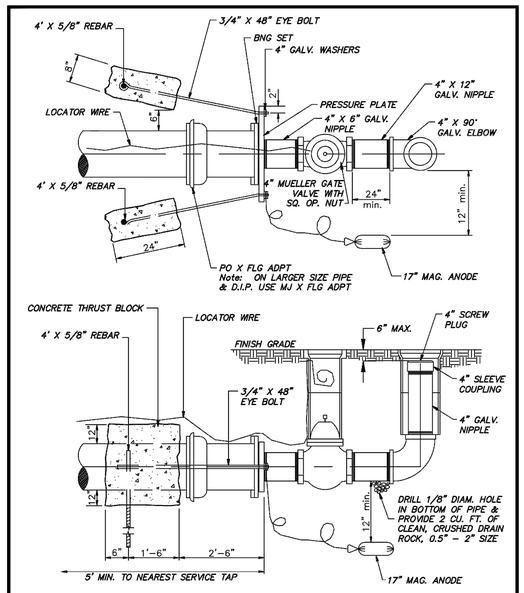


NOTES:

1. 4' WATER METER BOX SHALL BE MUELLER / McCULLOUGH THERMA-COIL METER BOX.
2. NO MORE THAN ONE EXTENSION ALLOWED.
3. LOCATE WATER METER 1 FT. BEHIND THE PROPERTY LINE AND LOCATED IN THE UTILITY EASEMENT.

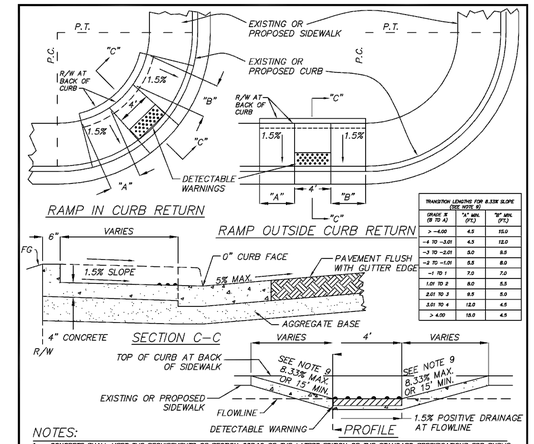
NO.	REVISION	DATE	STANDARD DETAILS FOR PUBLIC WORKS CONSTRUCTION	SECTION UTILITIES	
1	1-HOLE LID	1/13	3/4" & 1" WATER METER	DRAWING NO. U-13.1	
			CITY OF ELKO, NEVADA	DATE 11/30/07	PAGE 1

18 / C5.4 C.O.E. 3/4" & 1" WATER METER
NTS SEWER LINE PARALLEL TO WATER



NO.	REVISION	DATE	STANDARD DETAILS FOR PUBLIC WORKS CONSTRUCTION	SECTION UTILITIES	
			PERMANENT FLUSH ASSEMBLY	DRAWING NO. U-11.1	
			CITY OF ELKO, NEVADA	DATE 11/30/07	PAGE 1

19 / C5.4 C.O.E. PERMANENT FLUSH ASSEMBLY
NTS



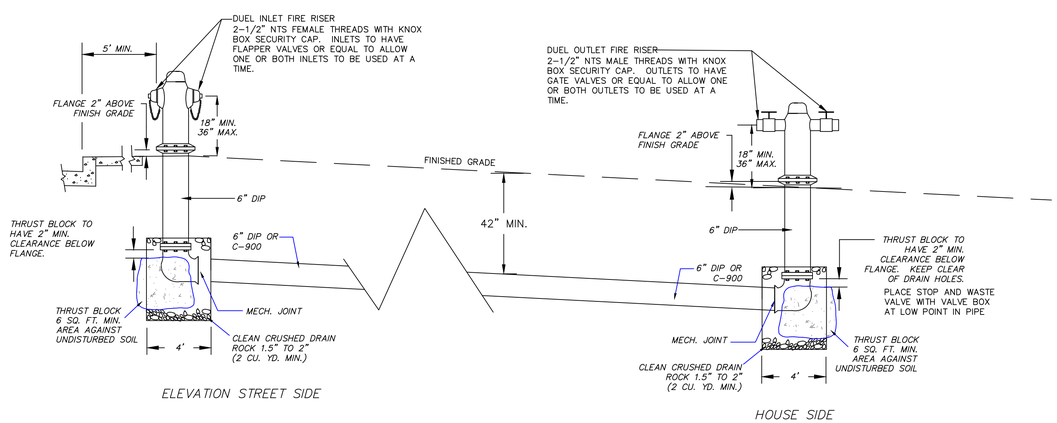
TRANSITION LENGTHS FOR 8.33% SLOPE (SEE NOTE 9)		
GRADE B (IN % A)	"A" MIN. (FT.)	"B" MIN. (FT.)
> -4.00	4.5	15.0
-4 TO -3.01	4.5	12.0
-3 TO -2.01	5.0	8.0
-2 TO -1.01	5.5	8.0
-1 TO 1	7.0	7.0
1.01 TO 2	8.0	5.5
2.01 TO 3	8.5	5.0
3.01 TO 4	12.0	4.5
> 4.00	18.0	4.5

NOTES:

1. CONCRETE SHALL MEET THE REQUIREMENTS OF SECTION 337.10 OF THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION.
2. AGGREGATE BASE MATERIAL SHALL MEET THE REQUIREMENTS OF SECTION 302 & 308 OF THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION.
3. CURB RAMP WITHIN CURB RETURN SHALL BE LOCATED AT THE MIDPOINT OF CURB RETURN.
4. RAMPS SHALL BE CONSTRUCTED WITH A ROUGH BROOM FINISH TRANSVERSE TO THE SLOPE OF THE RAMP.
5. WHEN CONSTRUCTING A RAMP WHERE CURB & GUTTER EXIST, COMPLETELY REMOVE INTERFERING PORTIONS OF EXISTING CURB & GUTTER. LOCATION OF CURB RAMP SHALL BE APPROVED BY THE CITY OF ELKO PRIOR TO INSTALLATION.
6. DETECTABLE WARNINGS SHALL BE YELLOW AND CONSIST OF RAISED TRUNCATED DOMES AND PLACED AT THE BOTTOM PORTION OF THE RAMP.
7. CROSS SLOPE OF SIDEWALK AND RAMP SURFACES SHALL NOT EXCEED 2%.
8. CURB RAMPS & DETECTABLE WARNINGS SHALL MEET THE REQUIREMENTS OF 28 CFR PART 36, ADA STANDARDS FOR ACCESSIBLE DESIGN.
9. PER THE PROWAG, SECTION R304.3.2, THE RUNNING SLOPE OF A CURB RAMP SHALL BE 8.33% MAXIMUM, BUT SHALL NOT REQUIRE THE RAMP LENGTH TO EXCEED 15.0 FEET. ON STEEP STREETS OR INTERSECTIONS THE TRANSITION TO FULL HEIGHT CURB MAY HAPPEN IN THE FIRST 15' MINIMUM, AND THE RESULTING SLOPE OF THE RAMP IS ALLOWED TO EXCEED 8.33%.

NO.	REVISION	DATE	STANDARD DETAILS FOR PUBLIC WORKS CONSTRUCTION	SECTION ROADWAY	
BT	NOTE 9	6/15/20	TYPE 1 CURB RAMP	DRAWING NO. R-4.1	
			CITY OF ELKO, NEVADA	DATE 6/16/20	PAGE 1

20 / C5.4 C.O.E. TYPE 1 CURB RAMP
NTS



21 / C5.4 C.O.E. FIRE RISER DETAIL
NTS

REGISTERED PROFESSIONAL ENGINEER
MICHAEL E. SHANKS
6/7/21
CIVIL
No. 10385
STATE OF NEVADA
EXPIRES: 6/30/22

PREPARED BY:
Shanks Enterprises
982 WOLF CR. DR.
SPRING CREEK, NEVADA 89815
775-934-9356
shankseng@gmail.com

NO.	DESCRIPTION	BY	DATE
A	ISSUE FOR REVIEW	MES	5/24/21
B	NO CORRECTIONS ON THIS SHEET	MES	6/7/21

REVISIONS

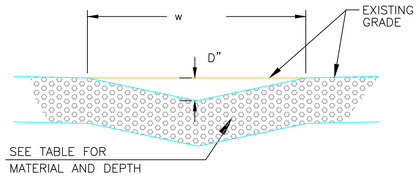
REFERENCE		
DESIGNED	MES	5/24/21
DRAWN	MES	5/24/21
CHECKED	MES	5/24/21
APPROVED		

PREPARED FOR:
LEGION CONS. AND DEVEL., LLC
427 WONG WAY
SPRING CREEK, NEVADA

DRAWING NO. 2002160
SCALE AS SHOWN
PROJECT No. 2002160
DRAWING NAME N3114 TOWN HOME SBD
REVISION B

TITLE:
JARBIDGE ESTATES
TOWN HOME SUBDIVISION
SITE CONSTRUCTION DRAWINGS
DETAILS

SHEET No. C5.4



MATERIAL TABLE

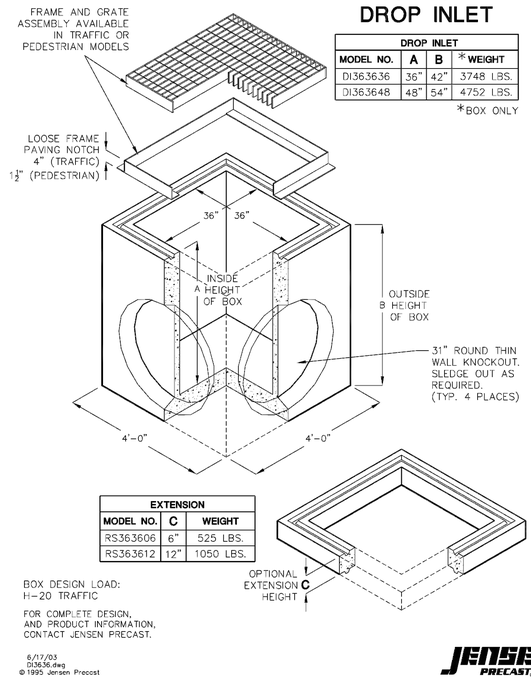
SLOPE OF SWALE	MATERIAL	THICKENS
0 TO 2%	NATIVE SOIL	N/A
2% TO 5%	TYPE 2 AGG. BASE	6"
5% TO 10%	3-6" RIP RAP W/ NON WOVEN GEOTEXTILE	9"
>10%	CONCRETE OR PCC LINED RIP-RAP	6"

22 / C5.5 6" DRAINAGE DITCH
NTS

36"x36" DROP INLET

DROP INLET			
MODEL NO.	A	B	*WEIGHT
DI363636	36"	42"	3748 LBS.
DI363648	48"	54"	4752 LBS.

*BOX ONLY



EXTENSION		
MODEL NO.	C	WEIGHT
RS363606	6"	525 LBS.
RS363612	12"	1050 LBS.

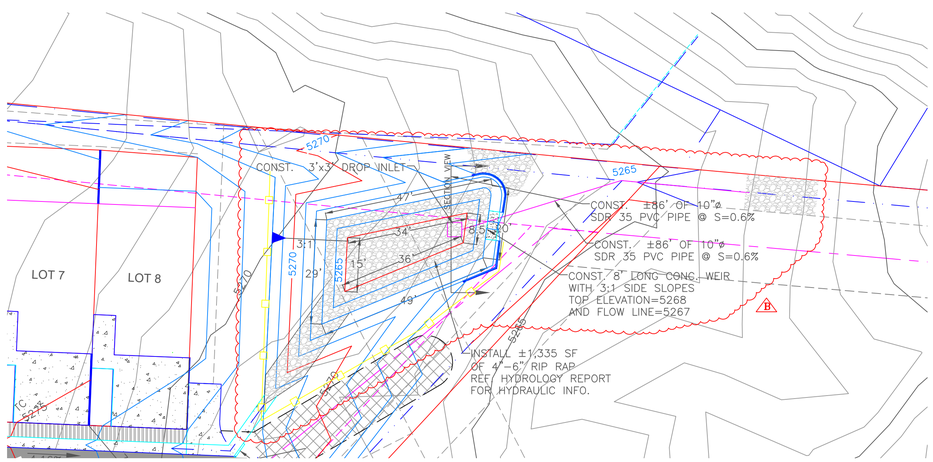
BOX DESIGN LOAD: H-20 TRAFFIC

FOR COMPLETE DESIGN, AND PRODUCT INFORMATION, CONTACT JENSEN PRECAST.

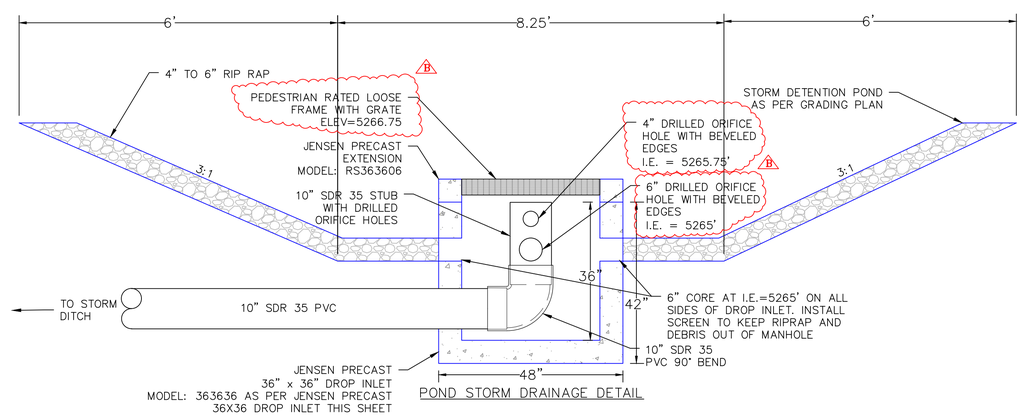
6/17/03
DI3636.dwg
© 1995 Jensen Precast

JENSEN PRECAST

23 / C5.5 JENSON 36"X36" DROP INLET
NTS



STORM POND AND STRUCTURE PLAN VIEW



POND STORM DRAINAGE DETAIL

STORM POND AND STRUCTURE SECTION VIEW

24 / C5.5 JENSON 36"X36" DROP INLET
NTS

REGISTERED PROFESSIONAL ENGINEER STATE OF NEVADA
MICHAEL E. SHANKS
6/7/21
CIVIL
No. 10385
EXPIRES: 6/30/22

PREPARED BY:
Shanks Enterprises
982 WOLF CR. DR.
SPRING CREEK, NEVADA 89815
775-934-9356
shankseng@gmail.com

No.	DESCRIPTION	BY	DATE
A	ISSUE FOR REVIEW	MES	5/24/21
B	SLOPES OF POND CORRECTED TO 3:1 AND ELEVATIONS CHANGED	MES	6/7/21

REVISIONS

DESIGNED	MES	5/24/21
DRAWN	MES	5/24/21
CHECKED	MES	5/24/21
APPROVED		
APPROVED		

REFERENCE

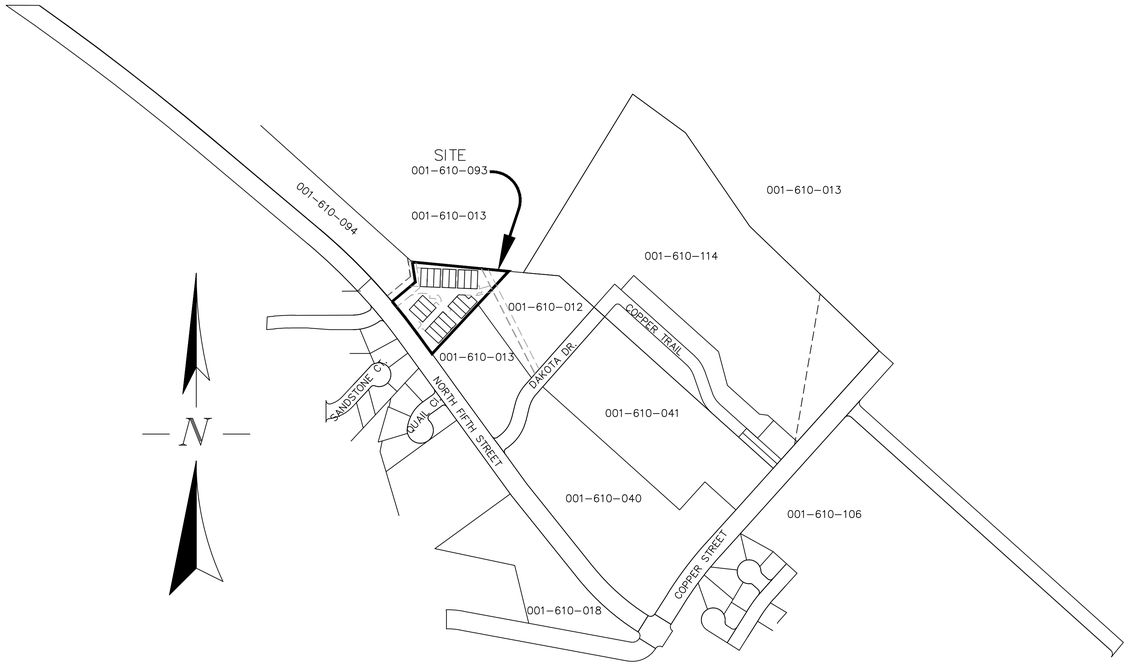
PREPARED FOR:
LEGION CONS. AND DEVEL., LLC
427 WONG WAY
SPRING CREEK, NEVADA

DRAWING NO. 2002160
SCALE: AS SHOWN
PROJECT No.: 2002160
DRAWING NAME: N5TH TOWN HOME SBD

B REVISION

TITLE:
JARBIDGE ESTATES
TOWN HOME SUBDIVISION
SITE CONSTRUCTION DRAWINGS
DETAILS

SHEET No. C5.5



VICINITY MAP

SCALE: 1" = 300'

OWNER'S CERTIFICATE:

KNOW OF ALL MEN BY THE PRESENTS THAT THE UNDERSIGNED JOHN SMALES, MANAGING PARTNER OF LEGION CONSTRUCTION AND DEVELOPMENT LLC., THE OWNER OF THE PARCELS SHOWN ON THIS MAP DOES, HEREBY CONSENT TO THE PREPARATION AND FILING OF THIS MAP AND OFFERS FOR DEDICATION ALL OF THE EASEMENTS FOR PUBLIC ACCESS, PUBLIC UTILITY AND PUBLIC DRAINAGE PURPOSES AS DESIGNATED HEREON. IN WITNESS I, JOHN SMALES, SET MY HAND ON THE DATE SHOWN THIS _____ DAY OF _____ , 2021.

JOHN SMALES, MANAGING PARTNER — DATE

STATE OF NEVADA)) S.S. COUNTY OF ELKO)

ON THIS ____ DAY OF _____, 2021, _____ APPEARED BEFORE ME, A NOTARY PUBLIC, STATE OF NEVADA, DULY COMMISSIONED AND SWORN. BEING PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) AS THE OFFICIAL DESCRIBED IN AND WHOM EXECUTED THE FOREGOING INSTRUMENT, AND HE DULY ACKNOWLEDGED TO ME THAT HE FREELY AND VOLUNTARILY EXECUTED THE SAME FOR THE USES AND PURPOSES HEREIN SET FORTH.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL ON THE DATE IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

NOTARY PUBLIC IN AND FOR ELKO COUNTY — DATE

APPROVAL – NEVADA DIVISION OF ENVIRONMENTAL PROTECTION:

THIS FINAL MAP IS APPROVED BY THE NEVADA DIVISION OF ENVIRONMENTAL PROTECTION OF THE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES. THIS APPROVAL CONCERNS SEWAGE DISPOSAL, WATER POLLUTION, WATER QUALITY AND WATER SUPPLY FACILITIES AND IS PREDICATED UPON PLANS FOR A PUBLIC WATER SUPPLY IN A COMMUNITY SYSTEM FOR DISPOSAL OF SEWAGE.

NEVADA DIVISION OF ENVIRONMENTAL PROTECTION
BUREAU OF WATER POLLUTION CONTROL — DATE

APPROVAL – NEVADA DIVISION OF WATER RESOURCES:

THIS FINAL MAP IS APPROVED BY THE DIVISION OF WATER RESOURCES OF THE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES CONCERNING WATER QUANTITY SUBJECT TO REVIEW OF APPROVAL ON FILE AT THIS OFFICE.

NEVADA DIVISION OF WATER RESOURCES — DATE

APPROVAL – CITY OF ELKO PLANNING COMMISSION

AT A REGULAR MEETING OF THE CITY OF ELKO, NEVADA, CITY COUNCIL HELD ON THE _____DAY OF _____, 20___, A TENTATIVE MAP OF THIS SUBDIVISION WAS DULY AND REGULARLY APPROVED PURSUANT TO N.R.S. 278.330. THIS FINAL MAP SUBSTANTIALLY COMPLIES WITH SAID TENTATIVE MAP AND ALL CONDITIONS PURSUANT THERETO HAVE BEEN MET.

CHAIRMAN, CITY OF ELKO PLANNING COMMISSION — DATE

NOTES:

1) THE AREAS ARE AS FOLLOWS

TOWNHOUSE LOTS:	38,128 SF	0.88 AC
COMMON AREA:	56,075 SF	1.29 AC
DEDICATED STREETS:	0 SF	0.00 AC
TOTAL SUBDIVISION:	94,203 SF	2.16 AC

2) BASIS OF BEARINGS: THE PARCEL MAP FOR THE CITY OF ELKO, NEVADA AS FILE NO. 415475 AS FILED IN THE ELKO COUNTY COURT HOUSE.

3) BASIS OF ELEVATIONS – NAVD88.

4) IN ADDITION TO EASEMENTS SHOWN, THE PARCELS ARE SUBJECT TO A 10 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT ALONG THE BOUNDARY LINES PER FILE NO. 530051.

5) A PUBLIC UTILITY EASEMENT IS HEREBY GRANTED SPECIFICALLY TO NV ENERGY WITHIN EACH PARCEL FOR THE EXCLUSIVE PURPOSE OF INSTALLING AND MAINTAINING UTILITY SERVICE FACILITIES TO THAT PARCEL, WITH THE RIGHT TO EXIT THAT PARCEL WITH SAID UTILITY FACILITIES FOR THE PURPOSE OF SERVING ADJACENT PARCELS, AT LOCATIONS MUTUALLY AGREED UPON BY THE OWNER OF RECORD AT THE TIME OF INSTALLATION AND THE UTILITY COMPANY.

6) A PUBLIC UTILITY EASEMENT IS HEREBY GRANTED SPECIFICALLY TO SOUTHWEST GAS CORP. WITHIN EACH PARCEL FOR THE EXCLUSIVE PURPOSE OF INSTALLING AND MAINTAINING UTILITY SERVICE FACILITIES TO THAT PARCEL, WITH THE RIGHT TO EXIT THAT PARCEL WITH SAID UTILITY FACILITIES FOR THE PURPOSE OF SERVING ADJACENT PARCELS, AT LOCATIONS MUTUALLY AGREED UPON BY THE OWNER OF RECORD AT THE TIME OF INSTALLATION AND THE UTILITY COMPANY.

7) A PUBLIC UTILITY, DRAINAGE, AND ACCESS EASEMENT IS HEREBY GRANTED OVER ALL OF LOT 19 (COMMON AREA).

8) FIRE ACCESS EASEMENTS ARE HEREBY GRANTED ON ALL LOTS FOR THE SOLE PURPOSE OF FIRE DEPARMENT ACCESS ALONG ADJACENT BACK AND SIDE YARDS. THE LOCATION OF THE EASEMENT SHALL BE MUTUALLY AGREED UPON BY THE CITY OF ELKO FIRE DEPARTMENT AND THE OWNER.

9) THIS MAP SUBDIVIDES PARCEL NO. 1 AS SHOWN ON THE PARCEL MAP FOR THE CITY OF ELKO ON FILE IN THE OFFICE OF THE ELKO COUNTY RECORDER, ELKO, NEVADA, FILE NO. 415475

LEGEND

- ♦ FOUND 3" ALUMINUM CAP AT SECTION CORNER S. 5,4,8,9 T. 34 N., R. 55 E.
- ● SET 5/8" REBAR WITH PLS 17610 CAP
- ■ FOUND 5/8" REBAR WITH PLS 6203 CAP
- ○ CALCED POINT, NOTHING FOUND NOTHING SET
- ▲ FOUND 5/8" REBAR WITH PLS 5072 CAP
- ⬠ FENCE CORNER TO SET
- △ 5/8" REBAR WITH PLS 17610 CAP OR SCRIBE IN THE CONCRETE

LAND SURVEYOR'S CERTIFICATE:

I, MICHAEL E. LEDFORD, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF NEVADA, CERTIFY THAT:

1. THIS PLAT REPRESENTS THE RESULTS OF A SURVEY CONDUCTED UNDER MY DIRECT SUPERVISION AT THE INSTANCE OF LEGION CONSTRUCTION AND DEVELOPMENT LLC.

2. THE LANDS SURVEYED LIE WITHIN SECTION 9, TOWNSHIP 34 NORTH, RANGE 55 EAST, M.D.B. & M. AND THE SURVEY WAS COMPLETED ON THE _____ DAY OF _____, 2021

3. THIS PLAT COMPLIES WITH ALL APPLICABLE STATE STATUTES AND ANY LOCAL ORDINANCES IN EFFECT ON THE DATE THE GOVERNING BODY GAVE ITS FINAL APPROVAL.

4. THE MONUMENTS DEPICTED ON THE PLAT ARE OF THE CHARACTER SHOWN, AND OCCUPY THE POSITIONS INDICATED AND ARE OF SUFFICIENT NUMBER AND DURABILITY TO ENABLE THIS SURVEY TO BE RETRACED.

MICHAEL E. LEDFORD — P.L.S. 17610 — DATE

PROFESSIONAL LAND SURVEYOR – STATE OF NEVADA
MICHAEL E. LEDFORD
Exp.12/31/21
No.17610

06-15-21

CITY ENGINEER'S REPRESENTATIVE CERTIFICATE;

I, _____ REPRESENTATIVE FOR THE CITY ENGINEER OF THE CITY OF ELKO, NEVADA, DO HEREBY CERTIFY THAT I HAVE EXAMINED THIS MAP AND FIND IT SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP, WITH ALL APPROVED ALTERATIONS; THAT ALL PROVISIONS OF N.R.S. 278.010 THROUGH 278.630, INCLUSIVE, AND ALL LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH; THAT I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT; AND THAT THE MONUMENTS AS SHOWN ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED OR THAT THE MONUMENTS HAVE NOT BEEN SET AND THAT A PROPER PERFORMANCE BOND HAS BEEN DEPOSITED GUARANTEEING THEIR SETTING ON OR BEFORE_____.

CITY OF ELKO CITY ENGINEER'S REPRESENTATIVE — DATE — DATE

APPROVAL – CITY OF ELKO COUNCIL

AT A REGULAR MEETING OF THE CITY OF ELKO, NEVADA, CITY COUNCIL HELD ON THE _____ DAY OF _____ 20___, THIS MAP WAS APPROVED FOR SUBDIVISION PURPOSES PURSUANT TO N.R.S. 278.461 TROUGH 278.469, INCLUSIVE, AND ALL APPLICABLE LOCAL ORDINANCES. ALL OFFERS OF DEDICATION, AS SHOWN HEREON, WERE ACCEPTED FOR PUBLIC USE.

MAYOR, CITY OF ELKO, NEVADA — DATE

ATTEST: CITY CLERK, CITY OF ELKO, NEVADA — DATE

COUNTY TREASURER'S CERTIFICATE:

I, CHERYL PAUL, CERTIFY THAT ALL PROPERTY TAXES ON ASSESSOR'S PARCEL NUMBER _____ HAVE BEEN PAID FOR THIS FISCAL YEAR.

CHERYL PAUL, COUNTY TREASURER — DATE

UTILITY COMPANIES CERTIFICATE:

THE PUBLIC UTILITY EASEMENTS, AS INDICATED HEREON, ARE APPROVED BY THE RESPECTIVE PUBLIC UTILITIES EXECUTED BELOW.

NV ENERGY — DATE

FRONTIER COMMUNICATIONS — DATE

SOUTHWEST GAS CORPORATION — DATE

CHARTER COMMUNICATIONS — DATE

COUNTY ASSESSOR'S CERTIFICATE

I, JANET IRIBARNE, CERTIFY THAT THE ASSESSOR'S PARCEL NUMBERS SHOWN ON THIS PLAT ARE CORRECT AND THAT THE PROPOSED PARCELS ARE A DIVISION OF SAID ASSESSOR'S PARCEL NO. 001-610-093

ELKO COUNTY ASSESSOR — DATE

FILING DATA

FILE NO. _____

FILED AT THE REQUEST OF APEX SURVEYING LLC

DATE _____, *2021*

TIME _____

D. MIKE SMALES
ELKO COUNTY RECORDER

FINAL MAP OF JARBIDGE ESTATES A TOWN HOUSE SUBDIVISION

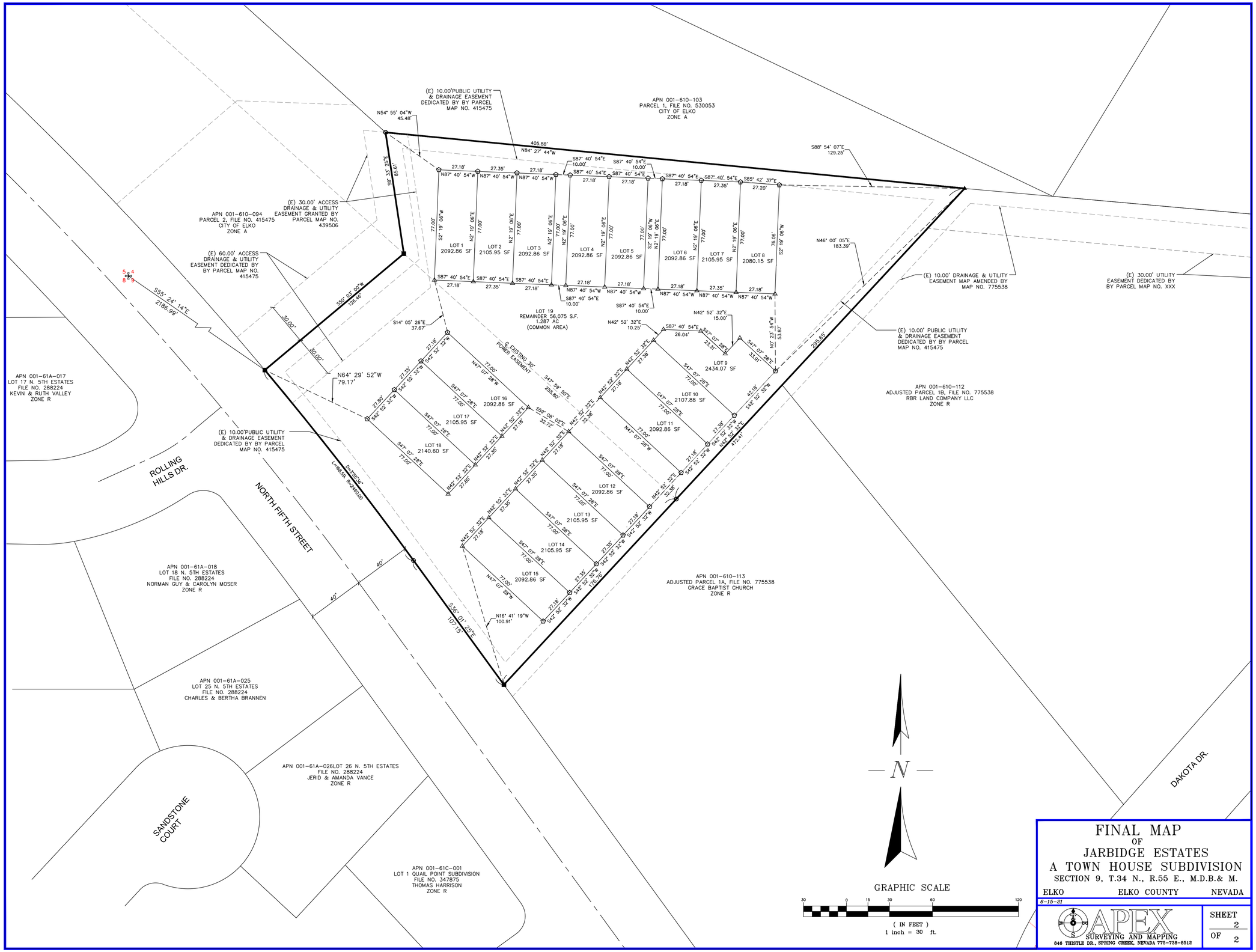
SECTION 9, T.34 N., R.55 E., M.D.B.& M.

ELKO — ELKO COUNTY — NEVADA

6-15-21

APEX SURVEYING AND MAPPING
846 THISTLE DR., SPRING CREEK, NEVADA 775-738-8512

SHEET 1 OF 2



FINAL MAP
OF
JARBIDGE ESTATES
A TOWN HOUSE SUBDIVISION
SECTION 9, T.34 N., R.55 E., M.D.B.& M.

ELKO ELKO COUNTY NEVADA

6-15-21

APEX SURVEYING AND MAPPING
846 THISTLE DR., SPRING CREEK, NEVADA 775-738-8512

SHEET 2 OF 2

Elko City Planning Commission
Agenda Action Sheet

1. Title: **Review, consideration, and possible recommendation to City Council for Vacation No. 1-21, filed by The City of Elko on behalf of Elko County, for the vacation of the southwesterly portion of Golf Course Road, consisting of an area approximately 1,842 sq. ft., and matters related thereto. FOR POSSIBLE ACTION**

2. Meeting Date: **July 6, 2021**

3. Agenda Category: ***NEW BUSINESS, MISCELLANEOUS ITEMS, PETITIONS, AND COMMUNICATIONS***

4. Time Required: **15 Minutes**

5. Background Information: **In discussion with the proposed Great Basin Child Advocacy Center, staff requested that the new curb, gutter and sidewalk line up with existing infrastructure at the intersection of Cedar St. and Golf Course Rd. This vacation will align the Right-of-Way from College Ave. to Cedar Street where it currently is not aligned. City Council accepted the petition for the vacation on June 22, 2021. CL**

6. Business Impact Statement: **Not Required**

7. Supplemental Agenda Information: **Application, Staff Memo**

8. Recommended Motion: **Forward a recommendation to City Council to adopt a resolution which conditionally approves Vacation No. 1-21 based on facts, findings and conditions as presented in the Staff Report dated June 23, 2021.**

9. Findings: **See Staff Report dated June 23, 2021.**

10. Prepared By: **Cathy Laughlin, City Planner**

11. Agenda Distribution: **Tyler Ingram**
    tingram@elkocountynv.net

STAFF COMMENT FLOW SHEET
PLANNING COMMISSION AGENDA DATE: 7/6
Do not use pencil or red pen, they do not reproduce

Title: Vacation No. 1-21 - Elko County

Applicant(s): City of Elko

Site Location: Portion of Golf Course Rd Adj. to APN-001-200-002

Current Zoning: PQP Date Received: 6/15/21 Date Public Notice: N/A

COMMENT: This is to vacate the southwesterly portion of Golf Course Rd, ≈ 1,842 sq.ft.

If additional space is needed please provide a separate memorandum

Assistant City Manager: Date: 6/25/21

Recommend approval

SAW

Initial

City Manager: Date:

Initial

City of Elko
1751 College Avenue
Elko, NV 89801
(775) 777-7160
FAX (775) 777-7119

CITY OF ELKO STAFF REPORT

MEMO DATE: June 23, 2021
PLANNING COMMISSION DATE: July 6, 2021
APPLICATION NUMBER: Vacation 1-21
APPLICANT: City of Elko on behalf of Elko County
PROJECT DESCRIPTION: APN 001-200-002

Vacation of 7' of the southwesterly portion of Golf Course Road.

STAFF RECOMMENDATION:

RECOMMEND to APPROVE subject to findings of fact and conditions stated in this report.

PROJECT INFORMATION

PARCEL NUMBER: 001-200-002

EXISTING ZONING: PQP- Public, Quasi-Public

MASTER PLAN DESIGNATION: Public

EXISTING LAND USE: Developed, PQP

BACKGROUND:

1. The property has been developed as public, quasi-public land use in the past and was recently demolished. An existing accessory structure remains on the parcel.
2. City Council accepted the petition and made a motion to vacate the 7' of the Golf Course Road at their June 22, 2021 meeting and referred the matter to Planning Commission for their review.
3. The area proposed to be vacated is approximately 1,842 sq. ft.

NEIGHBORHOOD CHARACTERISTICS:

The property is surrounded by:

Northwest:	PQP- Public, Quasi-Public / Developed
Northeast:	PQP- Public, Quasi-Public / Developed
Southeast:	PQP- Public, Quasi-Public / Developed
Southwest:	PQP- Public, Quasi-Public / Developed
South:	R- Residential / Developed

PROPERTY CHARACTERISTICS:

The property is currently undeveloped.
Golf Course Road is currently a 73' right-of-way at the intersection of Cedar Street and Golf Course Road.
There currently sidewalk adjacent to the property but will be replaced along Golf Course Road during development of the property.

MASTER PLAN AND CITY CODES:
Applicable Master Plans and City Code Sections are:

NRS 278.479 to 278.480, inclusive
City of Elko Master Plan – Land Use Component
City of Elko Master Plan – Transportation Component
City of Elko Redevelopment Plan
City of Elko Code – Section 8-7 Street Vacation Procedures

<u>NRS 278.479 to 278.480 inclusive</u>

1. 278.480(4) If any right-of-way or easement required for a public purpose that is owned by a city or a county is proposed to be vacated, the governing body, or the planning commission, hearing examiner or other designee, if authorized to take final action by the governing body, shall, not less than 10 business days before the public hearing described in subsection 5.

2. NRS 278.480 (5) Except as otherwise provided in subsection 6, if, upon public hearing, the governing body, or the planning commission, hearing examiner or other designee, if authorized to take final action by the governing body, is satisfied that the public will not be materially injured by the proposed vacation, it shall order the street or easement vacated. The governing body, or the planning commission, hearing examiner or other designee, if authorized to take final action by the governing body, may make the order conditional, and the order becomes effective only upon the fulfillment of the conditions prescribed. An applicant or other person aggrieved by the decision of the planning commission, hearing examiner or other designee may appeal the decision in accordance with the ordinance adopted pursuant to NRS 278.31895.
3. Per NRS 278.480(6) Public utility companies were notified of the vacation on June 18, 2021 via first class mail.

MASTER PLAN – Land Use:

1. The Master Plan Land Use Atlas shows the area as Public.
2. PQP- Public, Quasi-Public Zoning District is listed as a corresponding zoning district for Public.
3. Objective 3: Strengthen, preserve, and promote the area around the City Park, City Hall, and Convention Center as the civic heart of the community Encourage multiple scales of commercial development to serve the needs of the region, the community, and individual neighborhoods.

The proposed vacation is in conformance with the Master Plan Land Use component.

MASTER PLAN - Transportation:

1. The area is accessed from College Avenue, Golf Course Road and VFW Drive.

The proposed vacation is in conformance with the Master Plan Transportation Component.

REDEVELOPMENT PLAN

The area is not located within the Redevelopment Area and therefore the redevelopment plan was not part of the consideration of this vacation application.

ELKO CITY CODE SECTION 8-7 STREET VACATION PROCEDURES

1. If it is determined by a majority vote of the city council that it is in the best interest of the city and that no person will be materially injured thereby, the city council, by motion, may propose the realignment, change, vacation, adjustment or abandonment of any street or any portion thereof. In addition, any abutting owner desiring the vacation of any street or easement or portion thereof shall file a petition in writing with the city council and the city council shall consider said petition as set forth above.

    - The City Council made a motion at their meeting on June 22, 2021 and referred the matter to the Planning Commission for further consideration.

2. Except for a petition for the vacation or abandonment of an easement for a public utility owned or controlled by the city, the petition or motion shall be referred to the planning

commission, which shall report its findings and recommendations thereon to the city council. The petitioner shall, prior to the consideration of the petition by the planning commission, pay a filing fee to the city in an amount established by resolution of the city council and included in the appendix to this code.

- The filing fee was paid by the applicant.

3. Whenever any street, easement or portion thereof is proposed to be vacated or abandoned, the city council shall notify by certified mail each owner of property abutting the proposed vacation or abandonment and cause a notice to be published at least once in a newspaper of general circulation in the city setting forth the extent of the proposed vacation or abandonment and setting a date for public hearing, which date may be not less than ten (10) days and not more than forty (40) days subsequent to the date the notice is first published.

4. Order of City Council: Except as provided in subsection E of this section, if, upon public hearing, the City Council is satisfied that the public will not be materially injured by the proposed vacation or abandonment, and that it is in the best interest of the city, it shall order the street vacated or abandoned. The city council may make the order conditional, and the order shall become effective only upon the fulfillment of the conditions prescribed.

The proposed vacation with the recommended conditions is in conformance with Section 8-7 of City code.

FINDINGS

- The proposed vacation is in conformance with the City of Elko Master Plan Land Use Component
- The proposed vacation is in conformance with the City of Elko Master Plan Transportation component.
- The property proposed for vacation is not located within the Redevelopment Area.
- The proposed vacation is in conformance with NRS 278.479 to 278.480, inclusive.
- The proposed vacation with the recommended conditions is in conformance with Elko City Code 8-7.
- The proposed vacation will not materially injure the public and is in the best interest of the City.

STAFF RECOMMENDATION:

Staff recommends forward a recommendation to City Council to adopt a resolution which conditionally APPROVES the proposed vacation with the following conditions:

1. Written response from all non-City utilities is on file with the City of Elko with regard to the vacation in accordance with NRS 278.480(6) before the order is recorded.

2. Record a public utility and drainage easement over the area being vacated.

Shelby Knopp

From: Amanda Marcucci <Amanda.Marcucci@swgas.com>
Sent: Monday, June 21, 2021 8:52 AM
To: Shelby Knopp
Subject: RE: EXTERNAL: Proposed Vacations 1-21, 2-21, 3-21, & 4-21

Hi Shelby,

Southwest Gas does not object to Proposed Vacations 1-21, 2-21, 3-21, & 4-21.

Amanda

Amanda Marcucci, PE | Supervisor/Engineering

PO Box 1190 | 24A-580 | Carson City, NV 89702-1190
direct 775.887.2871 | mobile 775.430.0723 | fax 775.882.6072
amanda.marcucci@swgas.com | www.swgas.com

From: Shelby Knopp <sknopp@elkocitynv.gov>
Sent: Friday, June 18, 2021 10:07 AM
To: Amanda Marcucci <Amanda.Marcucci@swgas.com>; NNDEngineering <nndengineering@swgas.com>
Subject: EXTERNAL: Proposed Vacations 1-21, 2-21, 3-21, & 4-21

[WARNING] This message originated outside of Southwest Gas. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

Good Morning,
Please see the attached correspondence regarding proposed Vacation No. 1-21, 2-21, 3-21, and 4-21, all filed by the City of Elko.
Let me know if you have any questions.

Thank you!

Shelby Knopp
Planning Technician
City of Elko
Planning Department

CITY OF ELKO

Planning Department

Website: www.elkocity.com
Email:planning@elkocitynv.gov

1751 College Avenue • Elko, Nevada 89801 • (775) 777-7160 • Fax (775) 777-7219

June 18, 2021

Southwest Gas Corporation
Engineering Department
PO Box 1190
Carson City, NV 89702-1190
nndengineering@swgas.com

SUBJECT: Proposed Vacation No. 01-21 and 02-21

To Whom It May Concern:

Please be advised that the City of Elko Planning Department is processing a request filed by the City of Elko to vacate a portion of the Golf Course Road right-of-way located generally on the northeast side of APN 001-200-002 and 001-200-009. Please see enclosed map.

The City respectfully requests your assistance in determining whether there are any utility improvements or any other such interests within the area proposed to be vacated.

Please advise the Elko City Planning Department in writing concerning your agency's needs or interests as affected by this requested vacation, or submit a letter or email stating none of your interests are in the area, as **we are required to keep responses from all local utilities per NRS 278.480(6)**. The Planning Commission will consider this item on July 6, 2021. Thank you for your time and effort in this matter!

If you have any questions, please contact our office at 777-7160.

Sincerely,

Shelby Knopp

Shelby Knopp
Planning Technician

Enclosures

Shelby Knopp

From: Stephen Lifferth <stephen.lifferth@beehive.net>
Sent: Friday, June 18, 2021 10:08 AM
To: Shelby Knopp
Subject: Re: Proposed Vacations 1-21, 2-21, 3-21, & 4-21

Hi Shelby,

Beehive has no interests in the proposed vacation. Let me know if you need anything additional.

Thanks!

From: Shelby Knopp <sknopp@elkocitynv.gov>
Date: Friday, June 18, 2021 at 11:02 AM
To: Stephen Lifferth <stephen.lifferth@beehive.net>
Subject: Proposed Vacations 1-21, 2-21, 3-21, & 4-21

Good Morning,
Please see the attached correspondence regarding the proposed Vacation No. 1-21, 2-21, 3-21, & 4-21, all filed by the City of Elko.
Let me know if you have any questions.

Thank you!

Shelby Knopp
Planning Technician
City of Elko
Planning Department
PH (775) 777-7160
FAX (775) 777-7219

CITY OF ELKO

Planning Department

Website: www.elkocity.com
Email:planning@elkocitynv.gov

1751 College Avenue · Elko, Nevada 89801 · (775) 777-7160 · Fax (775) 777-7219

June 18, 2021

Beehive Broadband
2000 N. Sunset Road
Lake Point, UT 84074

SUBJECT: Proposed Vacation No. 01-21 and 02-21

To Whom It May Concern:

Please be advised that the City of Elko Planning Department is processing a request filed by the City of Elko to vacate a portion of the Golf Course Road right-of-way located generally on the northeast side of APN 001-200-002 and 001-200-009. Please see enclosed map.

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If you have any questions, please contact our office at 777-7160.

Sincerely,

Shelby Knopp
Planning Technician

Enclosures

June 23, 2021

City of Elko
Planning Department
Attn: Shelby Archuleta Knopp
Planning Technician
sarchuleta@elkocitynv.gov

Re: Proposed Vacation No. 01-21 and 02-21

Please be advised that Michael W. Lattin, Vice President / Field Operations for Elko Heat Company has reviewed the above vacation and Elko Heat Company has no issues with this vacation.

Please contact us if you have any additional questions or concerns.

Sincerely,

Pamela Lattin

Pamela Lattin
Secretary/Treasurer

CITY OF ELKO

Planning Department

Website: www.elkocity.com
Email:planning@elkocitynv.gov

1751 College Avenue • Elko, Nevada 89801 • (775) 777-7160 • Fax (775) 777-7219

June 18, 2021

Elko Heat
P.O. Box 2347
Elko, NV 89803

SUBJECT: Proposed Vacation No. 01-21 and 02-21

To Whom It May Concern:

Please be advised that the City of Elko Planning Department is processing a request filed by the City of Elko to vacate a portion of the Golf Course Road right-of-way located generally on the northeast side of APN 001-200-002 and 001-200-009. Please see enclosed map.

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If you have any questions, please contact our office at 777-7160.

Sincerely,

Shelby Knopp

Shelby Knopp
Planning Technician

Enclosures

CITY OF ELKO

Planning Department

Website: www.elkocity.com
Email:planning@elkocitynv.gov

1751 College Avenue • Elko, Nevada 89801 • (775) 777-7160 • Fax (775) 777-7219

June 18, 2021

NV Energy
Attn: Katherine Perkins
6100 Neil Road
Reno, NV 89511

SUBJECT: Proposed Vacation No. 01-21 and 02-21

Dear Ms. Perkins:

Please be advised that the City of Elko Planning Department is processing a request filed by the City of Elko to vacate a portion of the Golf Course Road right-of-way located generally on the northeast side of APN 001-200-002 and 001-200-009. Please see enclosed map.

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If you have any questions, please contact our office at 777-7160.

Sincerely,

Shelby Knopp

Shelby Knopp
Planning Technician

Enclosures

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1751 College Avenue • Elko, Nevada 89801 • (775) 777-7160 • Fax (775) 777-7219

June 18, 2021

Zito Media
Mr. Dustin Hurd
VIA Email: dustin.hurd@zitomedia.com

SUBJECT: Proposed Vacation No. 01-21 and 02-21

Dear Mr. Hurd:

Please be advised that the City of Elko Planning Department is processing a request filed by the City of Elko to vacate a portion of the Golf Course Road right-of-way located generally on the northeast side of APN 001-200-002 and 001-200-009. Please see enclosed map.

The City respectfully requests your assistance in determining whether there are any utility improvements or any other such interests within the area proposed to be vacated.

Please advise the Elko City Planning Department in writing concerning your agency's needs or interests as affected by this requested vacation, or submit a letter or email stating none of your interests are in the area, as **we are required to keep responses from all local utilities per NRS 278.480(6)**. The Planning Commission will consider this item on July 6, 2021. Thank you for your time and effort in this matter!

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Sincerely,

Shelby Knopp

Shelby Knopp
Planning Technician

Enclosures

CITY OF ELKO

Planning Department

Website: www.elkocity.com
*Email:*planning@elkocitynv.gov

1751 College Avenue • Elko, Nevada 89801 • (775) 777-7160 • Fax (775) 777-7219

June 18, 2021

Frontier Communication
Mr. John Poole
1520 Church Street
Gardnerville, NV 89410

SUBJECT: Proposed Vacation No. 01-21 and 02-21

Dear Mr. Poole:

Please be advised that the City of Elko Planning Department is processing a request filed by the City of Elko to vacate a portion of the Golf Course Road right-of-way located generally on the northeast side of APN 001-200-001 and 001-200-009. Please see enclosed map.

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If you have any questions, please contact our office at 777-7160.

Sincerely,

Shelby Knopp

Shelby Knopp
Planning Technician

Enclosures

CITY OF ELKO PLANNING DEPARTMENT

1751 College Avenue * Elko * Nevada * 89801 *

(775) 777-7160 * (775) 777-7219 fax

APPLICATION FOR VACATION OF CITY STREET, EASEMENT OR OTHER PUBLIC RIGHT-OF-WAY

APPLICANT(s): City of Elko
MAILING ADDRESS: 1751 College Ave.
PHONE NO (Home) 775-777-7160 **(Business)**
NAME OF PROPERTY OWNER (If different): Elko County & Nevada Health Centers Inc.
(Property owner's consent in writing must be provided.)
MAILING ADDRESS:
LEGAL DESCRIPTION AND LOCATION OF PROPERTY INVOLVED (Attach if necessary):
ASSESSOR'S PARCEL NO.: 001-200-002 & 009 **Address** 1401 College Ave. & 762 14th St.
Lot(s), Block(s), &Subdivision
Or Parcel(s) & File No.

FILING REQUIREMENTS:

Complete Application Form: In order to begin processing the application, an application form must be complete and signed. Applications go before the City Council, Planning Commission, and back to City Council twice.

Fee: A $600.00 non-refundable fee.

Plot Plan: A plot plan provided by a properly licensed surveyor depicting the existing condition drawn to scale showing property lines, existing and proposed buildings, building setbacks, parking and loading areas, driveways and other pertinent information must be provided.

Legal Description: A complete legal description of the area proposed for vacation along with an exhibit depicting the area for vacation.

Note: One .pdf of the entire application must be submitted as well as one set of legible, reproducible plans 8 ½" x 11" in size. If the applicant feels the Commission needs to see 24" x 36" plans, 10 sets of pre-folded plans must be submitted.

Other Information: The applicant is encouraged to submit other information and documentation to support the request.

OWNER(S) OF THE PROPERTY ABUTTING THE AREA BEING REQUESTED FOR VACATION:

Nevada Health Centers Inc. 3325 Research Way Fl 2 Carson City, NV 89706-7913

(Name) (Address)

OWNER(S) OF THE PROPERTY ABUTTING THE AREA BEING REQUESTED FOR VACATION:

Elko County 540 Court Street Elko, NV 89801

(Name) (Address)

1. Describe the nature of the request: City of Elko is the applicant to apply for the vacation to allow for the development of the Great Basin Child Advocacy Center new curb, gutter and sidewalk to align with the existing on the adjacent parcel owned by Nevada Health Centers Inc. There is a small portion of the Nevada Health Centers Inc. parcel which will also require a separate resolution to vacate that excess right-of-way to their parcel.

2. Describe any utilities currently located in the area proposed for vacation, and if any are present how they will be addressed: No known utilities

Use additional pages if necessary

This area intentionally left blank

By My Signature below:

☑ I consent to having the City of Elko Staff enter on my property only for the sole purpose of inspection said property as part of this application process.

☐ I object to having the City of Elko Staff enter onto my property as a part of their review of this application. (Your objection will not effect the recommendation made by the staff or the final determination made by the City Planning Commission or the City Council.)

☑ I acknowledge that submission of this application does not imply approval of this request by the City Planning Department, the City Planning Commission and the City Council, nor does it in and of itself guarantee issuance of any other required permits and/or licenses.

☑ I acknowledge that this application may be tabled until a later meeting if either I or my designated representative or agent is not present at the meeting for which this application is scheduled.

☑ I have carefully read and completed all questions contained within this application to the best of my ability.

Applicant / Agent City of Elko, City Planner
(Please print or type)

Mailing Address 1751 College Ave.
Street Address or P.O. Box

Elko, NV 89801
City, State, Zip Code

Phone Number: 775-777-7160

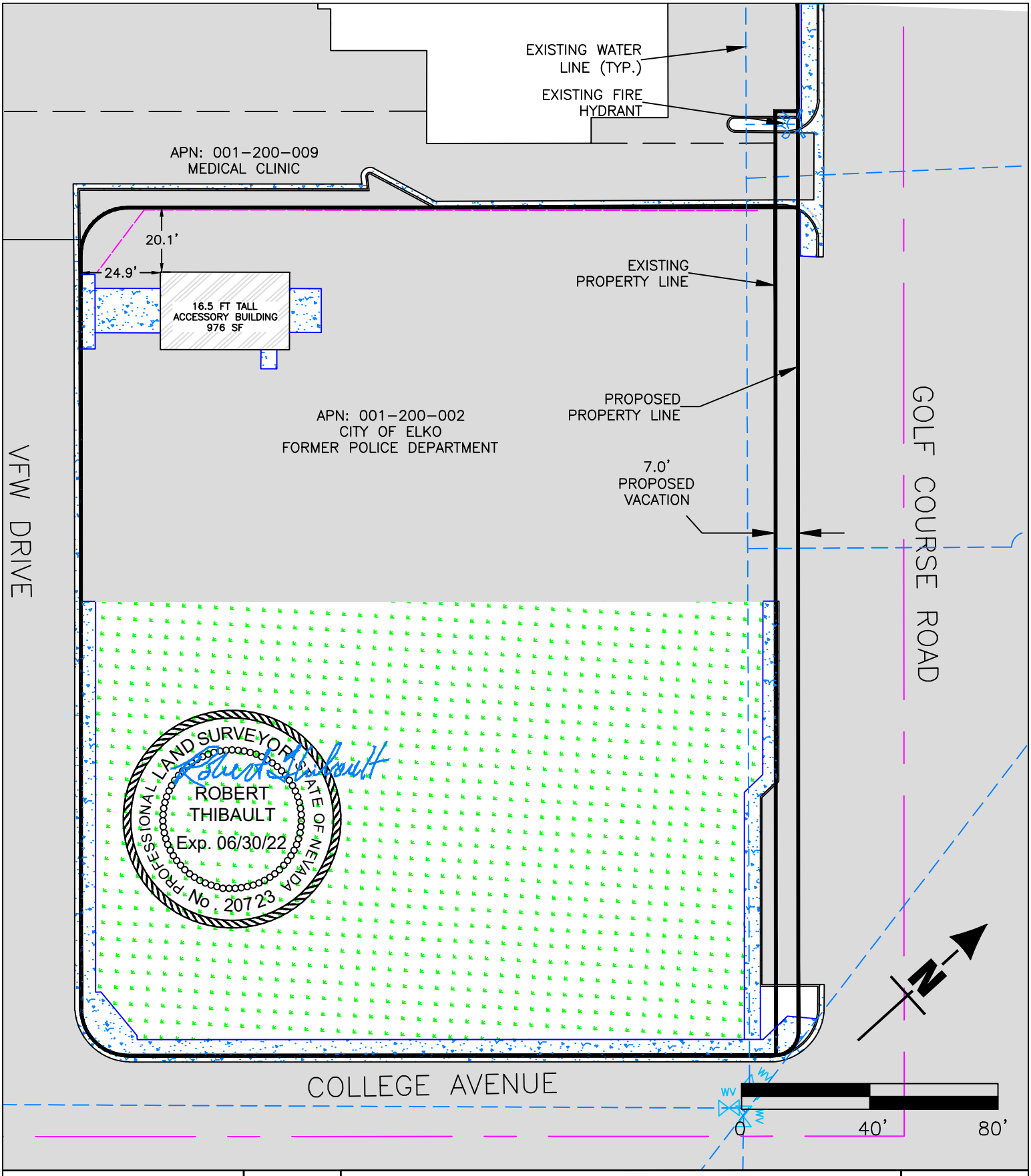
Email address: claughlin@elkocitynv.gov

SIGNATURE: Cathy Laughlin

FOR OFFICE USE ONLY

File No.: 1-21 **Date Filed:** 6/15/21 **Fee Paid:** N/A

RECEIVED
JUN 15 2021



CITY OF ELKO
1751 COLLEGE AVE
ELKO, NEVADA 89801
775-777-7210

SCALE
HORZ 1"=40'
VERT NONE

EXISTING IMPROVEMENTS APN: 001-200-002 & APN: 001-200-009 VACATION

DRAWN BY BT
CHECKED BY BT
DATE 6/16/21

I:\Survey\OLD-PD-PARCEL\OLD-PD-PARCEL.dwg

LEGAL DESCRIPTION FOR VACATION OF RIGHT-OF-WAY

A strip of land, being the southwesterly 7 feet of Golf Course Road, adjacent to APN 001-200-002, in the City of Elko, Nevada, lying within Sections 10 and 11, Township 34 North, Range 55 East, which is further described as follows;

Beginning at the easterly most corner of said APN 001-200-002 as described in the deed between the Church of Jesus Christ of Latter-Day Saints and the City of Elko, recorded in the office of the Elko County Recorder as file no. 221822, which bears North 1°18'56" East, a distance of 804.85 feet from the monument at the intersection of Court Street and 13th Street;

Thence, along the northeasterly boundary of the above referenced parcel, North 48°11'00" West, a distance of 264.70 feet, more or less, to the northerly most corner of the above referenced parcel;

Thence, North 41°49'00" East, a distance of 7.00 feet;

Thence, South 48°11'00" East, a distance of 257.70 feet;

Thence, along a tangent circular curve to the right, with a radius of 7.00 feet, an arc length of 11.00 feet, and a central angle of 90°00'00", more or less, to the point of beginning.

This strip of land being vacated contains a total of ±1,842 square feet.

The Basis of bearings for this description is the Map of the Smith's Addition to the City of Elko, recorded in the office of the Elko County Recorder as file no. 43255, on November 5, 1927.

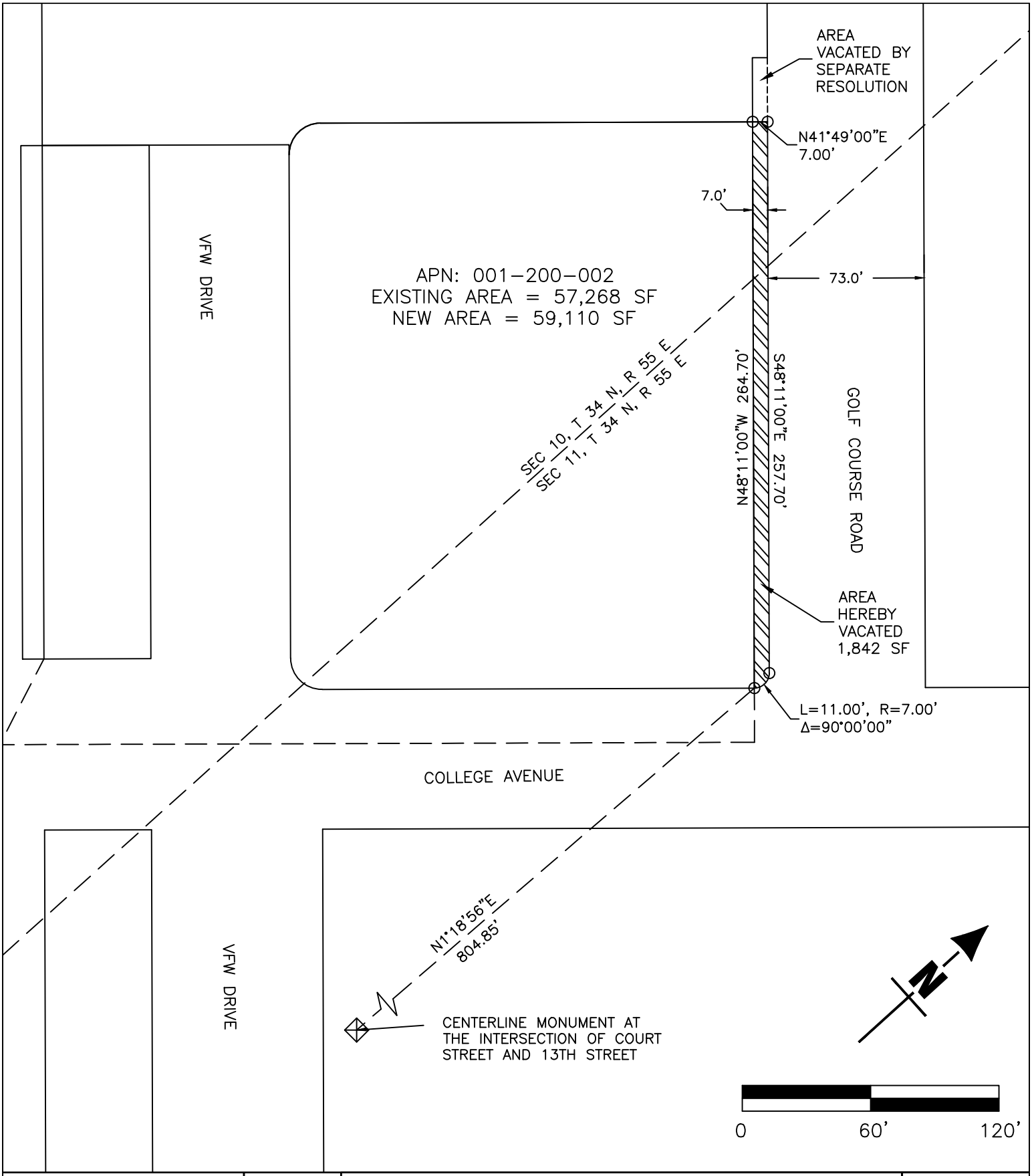
Description prepared by:

Robert Thibault, PE, PLS

Civil Engineer for the City of Elko

PROFESSIONAL LAND SURVEYOR
ROBERT THIBAULT
Exp. 6/30/22
No. 20723
STATE OF NEVADA

6/14/21



CITY OF ELKO
1751 COLLEGE AVE
ELKO, NEVADA 89801
775-777-7210

SCALE
HORZ 1"=60'
VERT NONE

EXHIBIT B
MAP OF AREA VACATED TO APN: 001-200-002

DRAWN BY BT
CHECKED BY BT
DATE 6/14/21

I:\Survey\OLD-PD-PARCEL\OLD-PD-PARCEL.dwg

Elko City Planning Commission
Agenda Action Sheet

1. Title: **Review, consideration, and possible recommendation to City Council for Vacation No. 2-21, filed by The City of Elko on behalf of Nevada Health Centers, for the vacation of the southwesterly portion of Golf Course Road, consisting of an area approximately 210 sq. ft., and matters related thereto. FOR POSSIBLE ACTION**

2. Meeting Date: **July 6, 2021**

3. Agenda Category: ***NEW BUSINESS, MISCELLANEOUS ITEMS, PETITIONS, AND COMMUNICATIONS***

4. Time Required: **15 Minutes**

5. Background Information: **In discussion with the proposed Great Basin Child Advocacy Center, staff requested that the new curb, gutter and sidewalk line up with existing infrastructure at the intersection of Cedar St. and Golf Course Rd. This vacation will align the Right-of-Way from College Ave. to Cedar Street where it currently is not aligned. City Council accepted the petition for the vacation on June 22, 2021. CL**

6. Business Impact Statement: **Not Required**

7. Supplemental Agenda Information: **Application, Staff Memo**

8. Recommended Motion: **Forward a recommendation to City Council to adopt a resolution which conditionally approves Vacation No. 2-21 based on facts, findings and conditions as presented in the Staff Report dated June 23, 2021.**

9. Findings: **See Staff Report dated June 23, 2021.**

10. Prepared By: **Cathy Laughlin, City Planner**

11. Agenda Distribution: **Stacey Giomi**
    sgiomi@nvhealthcenters.org

STAFF COMMENT FLOW SHEET
PLANNING COMMISSION AGENDA DATE: 7/6
Do not use pencil or red pen, they do not reproduce

Title: Vacation No. 2-21 - NV Health Center

Applicant(s): City of Elko

Site Location: Portion of Golf Course Rd. Adj. to APN 001-200-009

Current Zoning: PQP Date Received: 6/15/21 Date Public Notice: N/A

COMMENT: This is to vacate the southwesterly portion of Golf Course Rd, ≈ 210 sq.ft.

If additional space is needed please provide a separate memorandum

Assistant City Manager: Date: 6/25/21

Recommend approval

SAW

Initial

City Manager: Date:

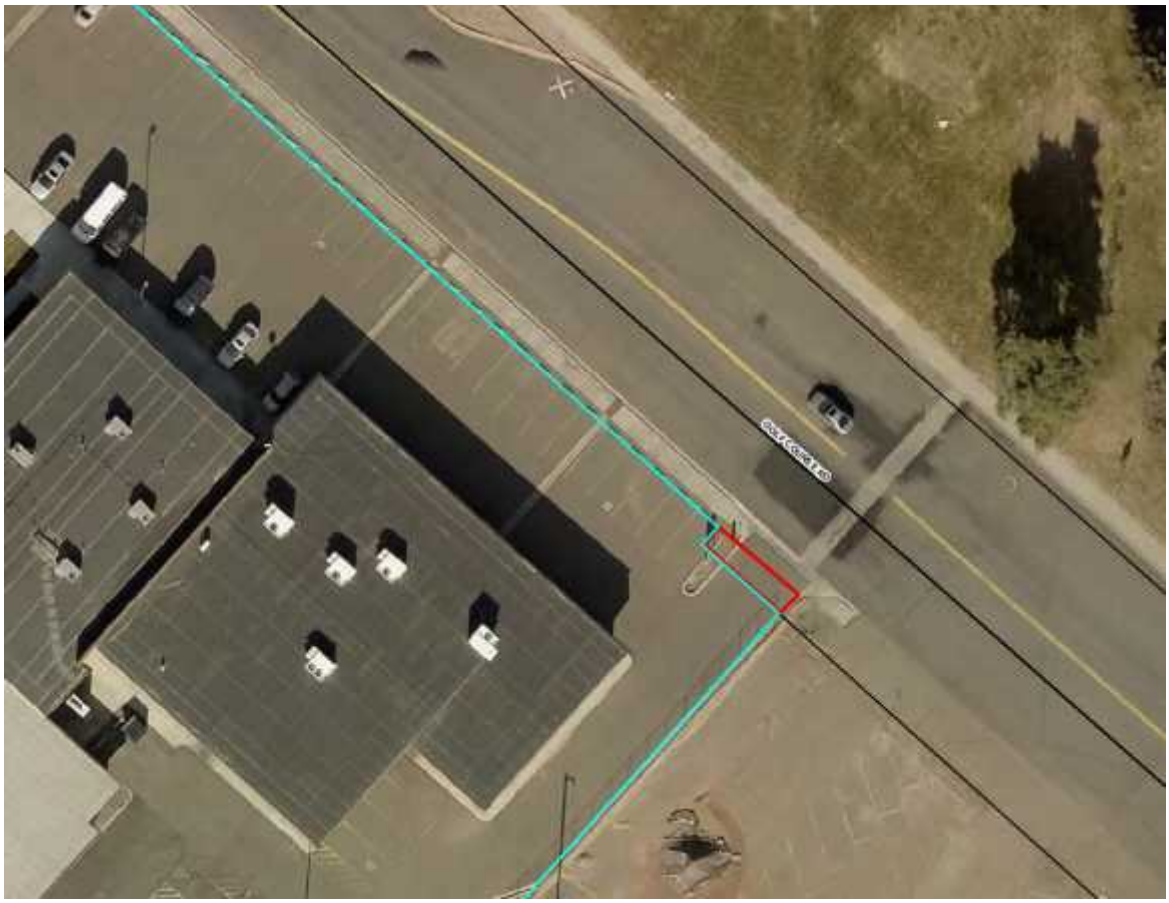
Initial

City of Elko
1751 College Avenue
Elko, NV 89801
(775) 777-7160
FAX (775) 777-7119

CITY OF ELKO STAFF REPORT

MEMO DATE: June 23, 2021
PLANNING COMMISSION DATE: July 6, 2021
APPLICATION NUMBER: Vacation 2-21
APPLICANT: City of Elko on behalf of Nevada Health Centers
PROJECT DESCRIPTION: APN 001-200-009

Vacation of 7' of the southwesterly portion of Golf Course Road.



STAFF RECOMMENDATION:

RECOMMEND to APPROVE subject to findings of fact and conditions stated in this report.

PROJECT INFORMATION

PARCEL NUMBER: 001-200-009

EXISTING ZONING: PQP- Public, Quasi-Public

MASTER PLAN DESIGNATION: Public

EXISTING LAND USE: Developed, PQP

BACKGROUND:

1. The property has been developed as public, quasi-public land use.
2. City Council accepted the petition and made a motion to vacate the 7' of the Golf Course Road at their June 22, 2021 meeting and referred the matter to Planning Commission for their review.
3. The area proposed to be vacated is approximately 210 sq. ft.

NEIGHBORHOOD CHARACTERISTICS:

The property is surrounded by:

Northwest: PQP- Public, Quasi-Public / Developed
Northeast: PQP- Public, Quasi-Public / Developed
Southeast: PQP- Public, Quasi-Public / Developed
Southwest: R- Residential / Developed

PROPERTY CHARACTERISTICS:

The property is currently developed.
Golf Course Road is currently a 73' right-of-way with the exception of this 30' length of 80' wide right-of-way.
There currently sidewalk adjacent to the property.

MASTER PLAN AND CITY CODES:
Applicable Master Plans and City Code Sections are:

NRS 278.479 to 278.480, inclusive
City of Elko Master Plan – Land Use Component
City of Elko Master Plan – Transportation Component
City of Elko Redevelopment Plan
City of Elko Code – Section 8-7 Street Vacation Procedures

NRS 278.479 to 278.480 inclusive

1. 278.480(4) If any right-of-way or easement required for a public purpose that is owned by a city or a county is proposed to be vacated, the governing body, or the planning commission, hearing examiner or other designee, if authorized to take final action by the governing body, shall, not less than 10 business days before the public hearing described in subsection 5.
2. NRS 278.480 (5) Except as otherwise provided in subsection 6, if, upon public hearing, the governing body, or the planning commission, hearing examiner or other designee, if

authorized to take final action by the governing body, is satisfied that the public will not be materially injured by the proposed vacation, it shall order the street or easement vacated. The governing body, or the planning commission, hearing examiner or other designee, if authorized to take final action by the governing body, may make the order conditional, and the order becomes effective only upon the fulfillment of the conditions prescribed. An applicant or other person aggrieved by the decision of the planning commission, hearing examiner or other designee may appeal the decision in accordance with the ordinance adopted pursuant to NRS 278.31895.

3. Per NRS 278.480(6) Public utility companies were notified of the vacation on June 18, 2021 via first class mail.

MASTER PLAN – Land Use:

1. The Master Plan Land Use Atlas shows the area as Public.
2. PQP- Public, Quasi-Public Zoning District is listed as a corresponding zoning district for Public.
3. Objective 3: Strengthen, preserve, and promote the area around the City Park, City Hall, and Convention Center as the civic heart of the community Encourage multiple scales of commercial development to serve the needs of the region, the community, and individual neighborhoods.

The proposed vacation is in conformance with the Master Plan Land Use component.

MASTER PLAN - Transportation:

1. The area is accessed from Cedar Street, Golf Course Road and 14th Street.

The proposed vacation is in conformance with the Master Plan Transportation Component.

REDEVELOPMENT PLAN

The area is not located within the Redevelopment Area and therefore the redevelopment plan was not part of the consideration of this vacation application.

ELKO CITY CODE SECTION 8-7 STREET VACATION PROCEDURES

1. If it is determined by a majority vote of the city council that it is in the best interest of the city and that no person will be materially injured thereby, the city council, by motion, may propose the realignment, change, vacation, adjustment or abandonment of any street or any portion thereof. In addition, any abutting owner desiring the vacation of any street or easement or portion thereof shall file a petition in writing with the city council and the city council shall consider said petition as set forth above.

   - The City Council made a motion at their meeting on June 22, 2021 and referred the matter to the Planning Commission for further consideration.

2. Except for a petition for the vacation or abandonment of an easement for a public utility owned or controlled by the city, the petition or motion shall be referred to the planning commission, which shall report its findings and recommendations thereon to the city council. The petitioner shall, prior to the consideration of the petition by the planning

commission, pay a filing fee to the city in an amount established by resolution of the city council and included in the appendix to this code.

- The filing fee was paid by the applicant.

3. Whenever any street, easement or portion thereof is proposed to be vacated or abandoned, the city council shall notify by certified mail each owner of property abutting the proposed vacation or abandonment and cause a notice to be published at least once in a newspaper of general circulation in the city setting forth the extent of the proposed vacation or abandonment and setting a date for public hearing, which date may be not less than ten (10) days and not more than forty (40) days subsequent to the date the notice is first published.

4. Order of City Council: Except as provided in subsection E of this section, if, upon public hearing, the City Council is satisfied that the public will not be materially injured by the proposed vacation or abandonment, and that it is in the best interest of the city, it shall order the street vacated or abandoned. The city council may make the order conditional, and the order shall become effective only upon the fulfillment of the conditions prescribed.

The proposed vacation with the recommended conditions is in conformance with Section 8-7 of City code.

FINDINGS

- The proposed vacation is in conformance with the City of Elko Master Plan Land Use Component
- The proposed vacation is in conformance with the City of Elko Master Plan Transportation component.
- The property proposed for vacation is not located within the Redevelopment Area.
- The proposed vacation is in conformance with NRS 278.479 to 278.480, inclusive.
- The proposed vacation with the recommended conditions is in conformance with Elko City Code 8-7.
- The proposed vacation will not materially injure the public and is in the best interest of the City.

STAFF RECOMMENDATION:

Staff recommends forward a recommendation to City Council to adopt a resolution which conditionally APPROVES the proposed vacation with the following conditions:

1. Written response from all non-City utilities is on file with the City of Elko with regard to the vacation in accordance with NRS 278.480(6) before the order is recorded.

2. Record a public utility and drainage easement over the area being vacated.

Shelby Knopp

From: Amanda Marcucci <Amanda.Marcucci@swgas.com>
Sent: Monday, June 21, 2021 8:52 AM
To: Shelby Knopp
Subject: RE: EXTERNAL: Proposed Vacations 1-21, 2-21, 3-21, & 4-21

Hi Shelby,

Southwest Gas does not object to Proposed Vacations 1-21, 2-21, 3-21, & 4-21.

Amanda

Amanda Marcucci, PE | Supervisor/Engineering

PO Box 1190 | 24A-580 | Carson City, NV 89702-1190
direct 775.887.2871 | mobile 775.430.0723 | fax 775.882.6072
amanda.marcucci@swgas.com | *www.swgas.com*

From: Shelby Knopp <sknopp@elkocitynv.gov>
Sent: Friday, June 18, 2021 10:07 AM
To: Amanda Marcucci <Amanda.Marcucci@swgas.com>; NNDEngineering <nndengineering@swgas.com>
Subject: EXTERNAL: Proposed Vacations 1-21, 2-21, 3-21, & 4-21

[WARNING] This message originated outside of Southwest Gas. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

Good Morning,
Please see the attached correspondence regarding proposed Vacation No. 1-21, 2-21, 3-21, and 4-21, all filed by the City of Elko.
Let me know if you have any questions.

Thank you!

Shelby Knopp
Planning Technician
City of Elko
Planning Department

CITY OF ELKO

Planning Department

Website: www.elkocity.com
Email:planning@elkocitynv.gov

1751 College Avenue · Elko, Nevada 89801 · (775) 777-7160 · Fax (775) 777-7219

June 18, 2021

Southwest Gas Corporation
Engineering Department
PO Box 1190
Carson City, NV 89702-1190
nndengineering@swgas.com

SUBJECT: Proposed Vacation No. 01-21 and 02-21

To Whom It May Concern:

Please be advised that the City of Elko Planning Department is processing a request filed by the City of Elko to vacate a portion of the Golf Course Road right-of-way located generally on the northeast side of APN 001-200-002 and 001-200-009. Please see enclosed map.

The City respectfully requests your assistance in determining whether there are any utility improvements or any other such interests within the area proposed to be vacated.

Please advise the Elko City Planning Department in writing concerning your agency's needs or interests as affected by this requested vacation, or submit a letter or email stating none of your interests are in the area, as **we are required to keep responses from all local utilities per NRS 278.480(6)**. The Planning Commission will consider this item on July 6, 2021. Thank you for your time and effort in this matter!

If you have any questions, please contact our office at 777-7160.

Sincerely,

Shelby Knopp

Shelby Knopp
Planning Technician

Enclosures

Shelby Knopp

From: Stephen Lifferth <stephen.lifferth@beehive.net>
Sent: Friday, June 18, 2021 10:08 AM
To: Shelby Knopp
Subject: Re: Proposed Vacations 1-21, 2-21, 3-21, & 4-21

Hi Shelby,

Beehive has no interests in the proposed vacation. Let me know if you need anything additional.

Thanks!

From: Shelby Knopp <sknopp@elkocitynv.gov>
Date: Friday, June 18, 2021 at 11:02 AM
To: Stephen Lifferth <stephen.lifferth@beehive.net>
Subject: Proposed Vacations 1-21, 2-21, 3-21, & 4-21

Good Morning,
Please see the attached correspondence regarding the proposed Vacation No. 1-21, 2-21, 3-21, & 4-21, all filed by the City of Elko.
Let me know if you have any questions.

Thank you!

Shelby Knopp
Planning Technician
City of Elko
Planning Department
Ph (775) 777-7160
FX (775) 777-7219

CITY OF ELKO

Planning Department

Website: www.elkocity.com
Email:planning@elkocitynv.gov

1751 College Avenue · Elko, Nevada 89801 · (775) 777-7160 · Fax (775) 777-7219

June 18, 2021

Beehive Broadband
2000 N. Sunset Road
Lake Point, UT 84074

SUBJECT: Proposed Vacation No. 01-21 and 02-21

To Whom It May Concern:

Please be advised that the City of Elko Planning Department is processing a request filed by the City of Elko to vacate a portion of the Golf Course Road right-of-way located generally on the northeast side of APN 001-200-002 and 001-200-009. Please see enclosed map.

The City respectfully requests your assistance in determining whether there are any utility improvements or any other such interests within the area proposed to be vacated.

Please advise the Elko City Planning Department in writing concerning your agency's needs or interests as affected by this requested vacation, or submit a letter or email stating none of your interests are in the area, as **we are required to keep responses from all local utilities per NRS 278.480(6)**. The Planning Commission will consider this item on July 6, 2021. Thank you for your time and effort in this matter!

If you have any questions, please contact our office at 777-7160.

Sincerely,

Shelby Knopp

Shelby Knopp
Planning Technician

Enclosures

June 23, 2021

City of Elko
Planning Department
Attn: Shelby Archuleta Knopp
Planning Technician
sarchuleta@elkocitynv.gov

Re: Proposed Vacation No. 01-21 and 02-21

Please be advised that Michael W. Lattin, Vice President / Field Operations for Elko Heat Company has reviewed the above vacation and Elko Heat Company has no issues with this vacation.

Please contact us if you have any additional questions or concerns.

Sincerely,

Pamela Lattin

Pamela Lattin
Secretary/Treasurer

CITY OF ELKO

Planning Department

Website: www.elkocity.com
Email:planning@elkocitynv.gov

1751 College Avenue • Elko, Nevada 89801 • (775) 777-7160 • Fax (775) 777-7219

June 18, 2021

Elko Heat
P.O. Box 2347
Elko, NV 89803

SUBJECT: Proposed Vacation No. 01-21 and 02-21

To Whom It May Concern:

Please be advised that the City of Elko Planning Department is processing a request filed by the City of Elko to vacate a portion of the Golf Course Road right-of-way located generally on the northeast side of APN 001-200-002 and 001-200-009. Please see enclosed map.

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If you have any questions, please contact our office at 777-7160.

Sincerely,

Shelby Knopp

Shelby Knopp
Planning Technician

Enclosures

CITY OF ELKO

Planning Department

Website: www.elkocity.com
Email:planning@elkocitynv.gov

1751 College Avenue • Elko, Nevada 89801 • (775) 777-7160 • Fax (775) 777-7219

June 18, 2021

NV Energy
Attn: Katherine Perkins
6100 Neil Road
Reno, NV 89511

SUBJECT: Proposed Vacation No. 01-21 and 02-21

Dear Ms. Perkins:

Please be advised that the City of Elko Planning Department is processing a request filed by the City of Elko to vacate a portion of the Golf Course Road right-of-way located generally on the northeast side of APN 001-200-002 and 001-200-009. Please see enclosed map.

The City respectfully requests your assistance in determining whether there are any utility improvements or any other such interests within the area proposed to be vacated.

Please advise the Elko City Planning Department in writing concerning your agency's needs or interests as affected by this requested vacation, or submit a letter or email stating none of your interests are in the area, as **we are required to keep responses from all local utilities per NRS 278.480(6)**. The Planning Commission will consider this item on July 6, 2021. Thank you for your time and effort in this matter!

If you have any questions, please contact our office at 777-7160.

Sincerely,

Shelby Knopp

Shelby Knopp
Planning Technician

Enclosures

CITY OF ELKO

Planning Department

Website: www.elkocity.com
Email:planning@elkocitynv.gov

1751 College Avenue · Elko, Nevada 89801 · (775) 777-7160 · Fax (775) 777-7219

June 18, 2021

Frontier Communication
Mr. John Poole
1520 Church Street
Gardnerville, NV 89410

SUBJECT: Proposed Vacation No. 01-21 and 02-21

Dear Mr. Poole:

Please be advised that the City of Elko Planning Department is processing a request filed by the City of Elko to vacate a portion of the Golf Course Road right-of-way located generally on the northeast side of APN 001-200-001 and 001-200-009. Please see enclosed map.

The City respectfully requests your assistance in determining whether there are any utility improvements or any other such interests within the area proposed to be vacated.

Please advise the Elko City Planning Department in writing concerning your agency's needs or interests as affected by this requested vacation, or submit a letter or email stating none of your interests are in the area, as **we are required to keep responses from all local utilities per NRS 278.480(6)**. The Planning Commission will consider this item on July 6, 2021. Thank you for your time and effort in this matter!

If you have any questions, please contact our office at 777-7160.

Sincerely,

Shelby Knopp

Shelby Knopp
Planning Technician

Enclosures

CITY OF ELKO

Planning Department

Website: www.elkocity.com
Email:planning@elkocitynv.gov

1751 College Avenue • Elko, Nevada 89801 • (775) 777-7160 • Fax (775) 777-7219

June 18, 2021

Zito Media
Mr. Dustin Hurd
VIA Email: dustin.hurd@zitomedia.com

SUBJECT: Proposed Vacation No. 01-21 and 02-21

Dear Mr. Hurd:

Please be advised that the City of Elko Planning Department is processing a request filed by the City of Elko to vacate a portion of the Golf Course Road right-of-way located generally on the northeast side of APN 001-200-002 and 001-200-009. Please see enclosed map.

The City respectfully requests your assistance in determining whether there are any utility improvements or any other such interests within the area proposed to be vacated.

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If you have any questions, please contact our office at 777-7160.

Sincerely,

Shelby Knopp
Planning Technician

Enclosures

CITY OF ELKO PLANNING DEPARTMENT

1751 College Avenue * Elko * Nevada * 89801 *

(775) 777-7160 * (775) 777-7219 fax

APPLICATION FOR VACATION OF CITY STREET, EASEMENT OR OTHER PUBLIC RIGHT-OF-WAY

APPLICANT(s): City of Elko
MAILING ADDRESS: 1751 College Ave.
PHONE NO (Home) 775-777-7160 **(Business)**
NAME OF PROPERTY OWNER (If different): Elko County & Nevada Health Centers Inc.
(Property owner's consent in writing must be provided.)
MAILING ADDRESS:
LEGAL DESCRIPTION AND LOCATION OF PROPERTY INVOLVED (Attach if necessary):
ASSESSOR'S PARCEL NO.: 001-200-002 & 009 **Address** 1401 College Ave. & 762 14th St.
Lot(s), Block(s), &Subdivision
Or Parcel(s) & File No.

FILING REQUIREMENTS:

Complete Application Form: In order to begin processing the application, an application form must be complete and signed. Applications go before the City Council, Planning Commission, and back to City Council twice.

Fee: A $600.00 non-refundable fee.

Plot Plan: A plot plan provided by a properly licensed surveyor depicting the existing condition drawn to scale showing property lines, existing and proposed buildings, building setbacks, parking and loading areas, driveways and other pertinent information must be provided.

Legal Description: A complete legal description of the area proposed for vacation along with an exhibit depicting the area for vacation.

Note: One .pdf of the entire application must be submitted as well as one set of legible, reproducible plans 8 ½" x 11" in size. If the applicant feels the Commission needs to see 24" x 36" plans, 10 sets of pre-folded plans must be submitted.

Other Information: The applicant is encouraged to submit other information and documentation to support the request.

OWNER(S) OF THE PROPERTY ABUTTING THE AREA BEING REQUESTED FOR VACATION:

Nevada Health Centers Inc. 3325 Research Way Fl 2 Carson City, NV 89706-7913

(Name) (Address)

OWNER(S) OF THE PROPERTY ABUTTING THE AREA BEING REQUESTED FOR VACATION:

Elko County 540 Court Street Elko, NV 89801

(Name) (Address)

1. Describe the nature of the request: City of Elko is the applicant to apply for the vacation to allow for the development of the Great Basin Child Advocacy Center new curb, gutter and sidewalk to align with the existing on the adjacent parcel owned by Nevada Health Centers Inc. There is a small portion of the Nevada Health Centers Inc. parcel which will also require a separate resolution to vacate that excess right-of-way to their parcel.

2. Describe any utilities currently located in the area proposed for vacation, and if any are present how they will be addressed: No known utilities

Use additional pages if necessary

This area intentionally left blank

By My Signature below:

☑ I consent to having the City of Elko Staff enter on my property only for the sole purpose of inspection said property as part of this application process.

☐ I object to having the City of Elko Staff enter onto my property as a part of their review of this application. (Your objection will not effect the recommendation made by the staff or the final determination made by the City Planning Commission or the City Council.)

☑ I acknowledge that submission of this application does not imply approval of this request by the City Planning Department, the City Planning Commission and the City Council, nor does it in and of itself guarantee issuance of any other required permits and/or licenses.

☑ I acknowledge that this application may be tabled until a later meeting if either I or my designated representative or agent is not present at the meeting for which this application is scheduled.

☑ I have carefully read and completed all questions contained within this application to the best of my ability.

Applicant / Agent City of Elko, City Planner
(Please print or type)

Mailing Address 1751 College Ave.
Street Address or P.O. Box

Elko, NV 89801
City, State, Zip Code

Phone Number: 775-777-7160

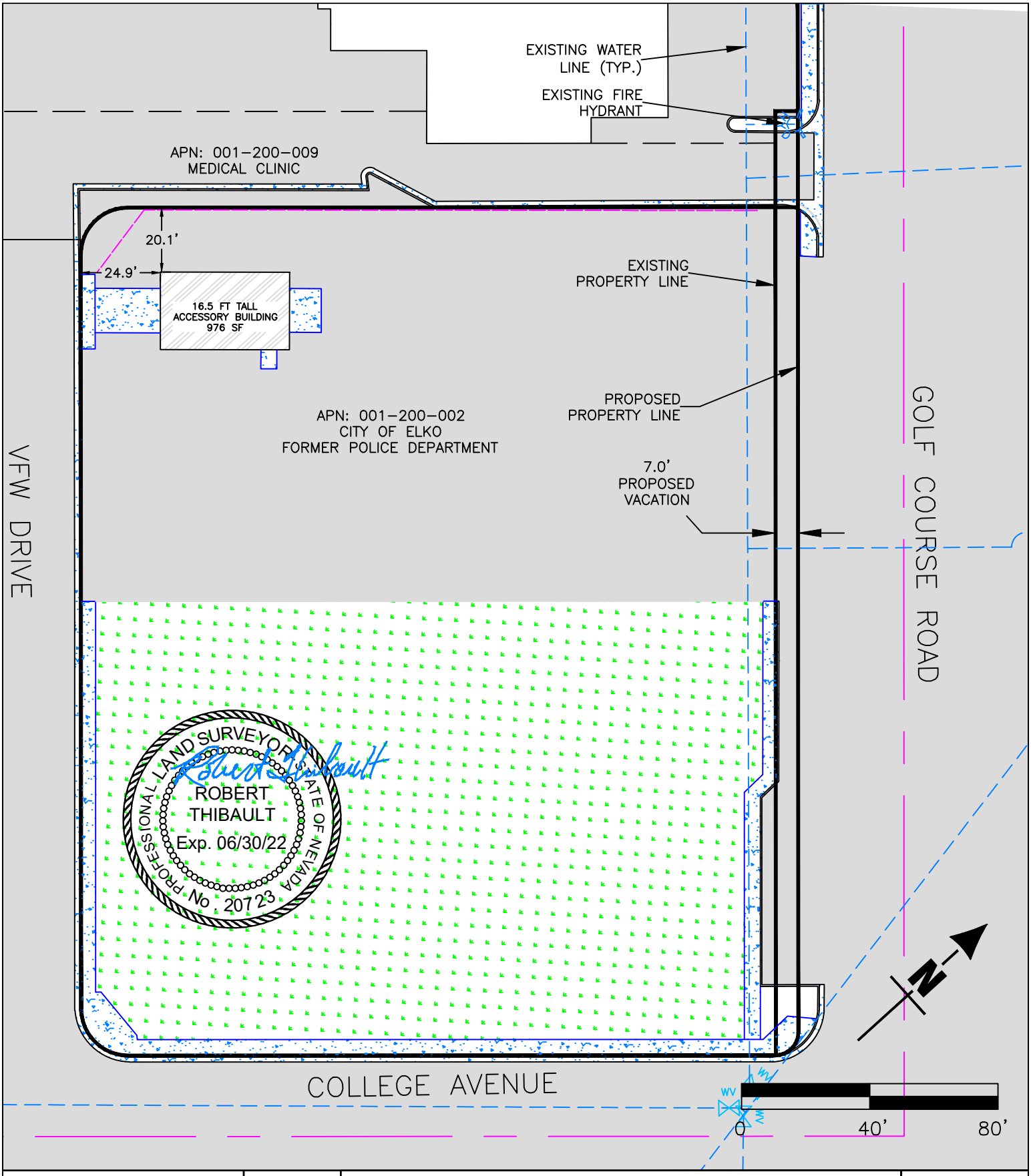
Email address: claughlin@elkocitynv.gov

SIGNATURE: Cathy Laughlin

FOR OFFICE USE ONLY

File No.: 2-21 **Date Filed:** 6/15/21 **Fee Paid:** N/A

RECEIVED
JUN 15 2021



CITY OF ELKO
1751 COLLEGE AVE
ELKO, NEVADA 89801
775-777-7210

SCALE
HORZ 1"=40'
VERT NONE

EXISTING IMPROVEMENTS APN: 001-200-002 & APN: 001-200-009 VACATION

DRAWN BY BT
CHECKED BY BT
DATE 6/16/21

I:\Survey\OLD-PD-PARCEL\OLD-PD-PARCEL.dwg

LEGAL DESCRIPTION FOR VACATION OF RIGHT-OF-WAY

A strip of land, being a portion of the southwesterly 7 feet of Golf Course Road, adjacent to APN 001-200-009, in the City of Elko, Nevada, lying within Section 10, Township 34 North, Range 55 East, which is further described as follows;

Beginning at the easterly most corner of Parcel No. 1, of the Parcel Map for the Nevada Health Centers, Inc., recorded in the office of the Elko County Recorder as file no. 770198, which bears North 10°19'42" West, a distance of 997.28 feet from the monument at the intersection of Court Street and 13th Street;

Thence, along the northeasterly boundary of said Parcel No. 1, North 48°11'00" West, a distance of 30.00 feet;

Thence, continuing along the northeasterly boundary of said Parcel No. 1, North 41°49'00" East, a distance of 7.00 feet;

Thence, South 48°11'00" East, a distance of 30.00 feet;

Thence, South 41°49'00" West, a distance of 7.00 feet, more or less, to the point of beginning.

This strip of land being vacated contains a total of ±210 square feet.

The Basis of bearings for this description is the Map of the Smith's Addition to the City of Elko, recorded in the office of the Elko County Recorder as file no. 43255, on November 5, 1927.

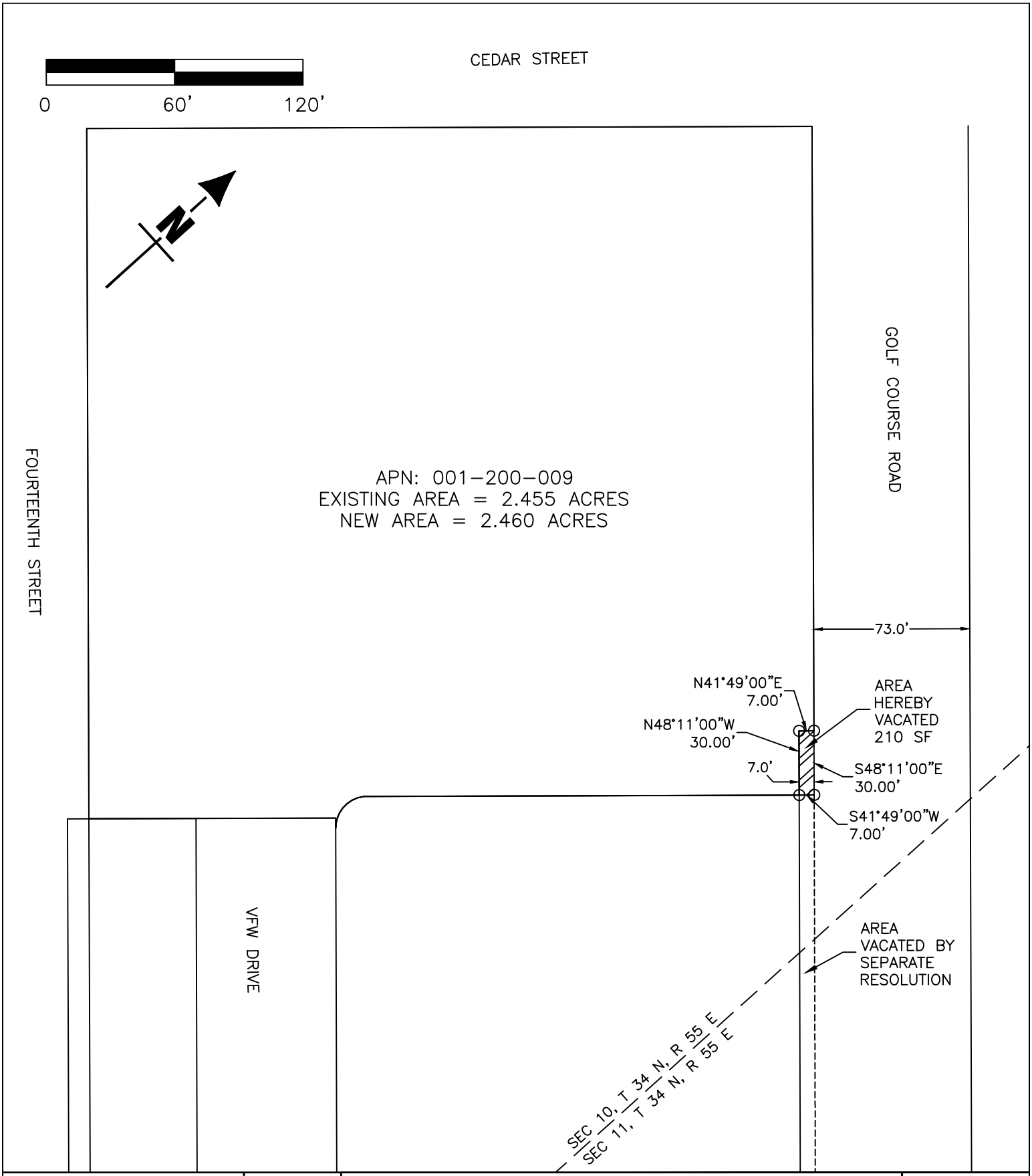
Description prepared by:

Robert Thibault, PE, PLS

Civil Engineer for the City of Elko

PROFESSIONAL LAND SURVEYOR · STATE OF NEVADA
ROBERT THIBAULT
Exp. 6/30/22
No. 20723

6/14/21



CITY OF ELKO
1751 COLLEGE AVE
ELKO, NEVADA 89801
775-777-7210

SCALE
HORZ 1"=60'
VERT NONE

EXHIBIT B
MAP OF AREA VACATED TO APN: 001-200-009

DRAWN BY BT
CHECKED BY BT
DATE 6/9/21

I:\Survey\OLD-PD-PARCEL\OLD-PD-PARCEL.dwg

Elko City Planning Commission
Agenda Action Sheet

1. Title: **Review, consideration, and possible recommendation to City Council for Vacation No. 3-21, filed by the City of Elko, for the vacation of a portion of 15th Street consisting of approximately 13,600 square feet, and matters related thereto. FOR POSSIBLE ACTION**

2. Meeting Date: **July 6, 2021**

3. Agenda Category: ***NEW BUSINESS, MISCELLANEOUS ITEMS, PETITIONS, AND COMMUNICATIONS***

4. Time Required: **15 Minutes**

5. Background Information: **Staff has determined that keeping the small amount of right-of-way on 15th Street is not in the best interest of the City due to the cost of constructing and maintaining a road that goes nowhere. Half of the street right-of-way (6,800 square feet) will be given back to each of the adjacent property owners (Flyers Energy Inc. and The Igloo, LLC). This agenda item is related to the portion being returned to The Igloo, LLC. City Council accepted the petition for the vacation on June 22, 2021. MR**

6. Business Impact Statement: **Not Required**

7. Supplemental Agenda Information: **Application, Staff Memo**

8. Recommended Motion: **Forward a recommendation to City Council to adopt a resolution which conditionally approves Vacation No. 3-21 based on facts, findings and conditions as presented in the Staff Report dated June 17, 2021.**

9. Findings: **See Staff Report dated June 17, 2021.**

10. Prepared By: **Michele Rambo, AICP, Development Manager**

11. Agenda Distribution: **Flyers Energy, LLC**
    Attn: David Dwelle
    dmdwelle@4flyers.com

    The Igloo, Inc.
    Attn: Mike Shanks
    shankseng@gmail.com

STAFF COMMENT FLOW SHEET
PLANNING COMMISSION AGENDA DATE: 7/6
Do not use pencil or red pen, they do not reproduce

Title: Vacation No. 3-21 - The Igloo, LLC

Applicant(s): City of Elko

Site Location: Portion of 15th St. Adj. to APN 001-375-001

Current Zoning: GI Date Received: 6/15/21 Date Public Notice: N/A

COMMENT: This is to vacate a portion of 15th Street, ≈ 13,600 sq. ft.

****If additional space is needed please provide a separate memorandum****

Assistant City Manager: Date: 6/25/21

Recommend approval

SAW

Initial

City Manager: Date:_____

Initial

City of Elko
1751 College Avenue
Elko, NV 89801
(775) 777-7160
FAX (775) 777-7119

CITY OF ELKO STAFF REPORT

MEMO DATE: June 17, 2021
PLANNING COMMISSION DATE: July 6, 2021
APPLICATION NUMBER: Vacation 3-21
APPLICANT: City of Elko
PROJECT DESCRIPTION: 15th Street north of Silver Street

Vacation of a portion of 15th Street consisting of approximately 13,600 square feet.

STAFF RECOMMENDATION:

RECOMMEND to APPROVE subject to findings of fact and conditions stated in this report.

PROJECT INFORMATION

PARCEL NUMBER: Between APN 001-375-001 and APN 001-373-001

EXISTING ZONING: GI – General Industrial

MASTER PLAN DESIGNATION: N/A

EXISTING LAND USE: Undeveloped street right-of-way

BACKGROUND:

1. The property is an undeveloped street right-of-way that serves only two lots (APNs 001-375-001 and 001-373-001).
2. The area proposed to be vacated is approximately 13,600 square feet to be divided equally between the two adjacent lots mentioned above.
3. The existing right-of-way stretches from Silver Street north 170 feet to the Union Pacific right-of-way and dead ends.
4. Utilities currently exist through this area so utility and drainage easements will need to be approved in conjunction with this vacation.
5. The adjacent properties have, and will continue to use, this area as a driveway. Therefore, a Reciprocal Easement Agreement will also need to be approved in conjunction with this vacation.

NEIGHBORHOOD CHARACTERISTICS:
The property is surrounded by:

North: General Industrial (GI) / Undeveloped
East: General Industrial (GI) / Undeveloped
South: Light Industrial (LI) / Undeveloped
West: General Industrial (GI) / Developed

PROPERTY CHARACTERISTICS:

1. The property is currently undeveloped street right-of-way.
2. The property is slopes to the south towards Silver Street

MASTER PLAN AND CITY CODES:
Applicable Master Plans and City Code Sections are:

NRS 278.479 to 278.480, inclusive
City of Elko Master Plan – Land Use Component
City of Elko Master Plan – Transportation Component
City of Elko Redevelopment Plan
City of Elko Code – Section 8-7 Street Vacation Procedures

<u>NRS 278.479 to 278.480 inclusive</u>

1. 278.480(4) If any right-of-way or easement required for a public purpose that is owned by a city or a county is proposed to be vacated, the governing body, or the planning commission, hearing examiner or other designee, if authorized to take final action by the

governing body, shall, not less than 10 business days before the public hearing described in subsection 5.

2. NRS 278.480 (5) Except as otherwise provided in subsection 6, if, upon public hearing, the governing body, or the planning commission, hearing examiner or other designee, if authorized to take final action by the governing body, is satisfied that the public will not be materially injured by the proposed vacation, it shall order the street or easement vacated. The governing body, or the planning commission, hearing examiner or other designee, if authorized to take final action by the governing body, may make the order conditional, and the order becomes effective only upon the fulfillment of the conditions prescribed. An applicant or other person aggrieved by the decision of the planning commission, hearing examiner or other designee may appeal the decision in accordance with the ordinance adopted pursuant to NRS 278.31895.
3. Per NRS 278.480(6) Public utility companies will be notified of the vacation on September 25, 2019 via first class mail.

MASTER PLAN – Land Use:

1. The Master Plan Land Use Atlas shows the surrounding area as Industrial Business Park and Industrial General.
2. The GI (General Industrial) Zoning District is listed as a corresponding zoning district for Industrial General designation.
3. Objective 7: Promote high quality and visually appealing industrial uses, where appropriate, to promote economic sustainability and strengthen the community's image.

The proposed vacation is in conformance with the Master Plan Land Use component.

MASTER PLAN - Transportation:

1. 15th Street is accessed from Silver Street.
2. This section of Silver Street is classified as a Commercial/Industrial Collector street.

The proposed vacation is in conformance with the Master Plan Transportation Component.

REDEVELOPMENT PLAN

- The area is located within the Redevelopment Area.
- The proposed vacation doesn't relate to parking or other elements which are part of the Redevelopment Plan.

The proposed vacation is in conformance with the Redevelopment Plan.

ELKO CITY CODE SECTION 8-7 STREET VACATION PROCEDURES

1. If it is determined by a majority vote of the city council that it is in the best interest of the city and that no person will be materially injured thereby, the city council, by motion, may propose the realignment, change, vacation, adjustment or abandonment of any street or any portion thereof. In addition, any abutting owner desiring the vacation of any street or easement or portion thereof shall file a petition in writing with the city council and the city council shall consider said petition as set forth above.

- The City Council made a motion at their meeting on June 22, 2021 and referred the matter to the Planning Commission for further consideration.

2. Except for a petition for the vacation or abandonment of an easement for a public utility owned or controlled by the city, the petition or motion shall be referred to the planning commission, which shall report its findings and recommendations thereon to the city council. The petitioner shall, prior to the consideration of the petition by the planning commission, pay a filing fee to the city in an amount established by resolution of the city council and included in the appendix to this code.

   - The filing fee was paid by the applicant.

3. Whenever any street, easement or portion thereof is proposed to be vacated or abandoned, the city council shall notify by certified mail each owner of property abutting the proposed vacation or abandonment and cause a notice to be published at least once in a newspaper of general circulation in the city setting forth the extent of the proposed vacation or abandonment and setting a date for public hearing, which date may be not less than ten (10) days and not more than forty (40) days subsequent to the date the notice is first published.

4. Order of City Council: Except as provided in subsection E of this section, if, upon public hearing, the City Council is satisfied that the public will not be materially injured by the proposed vacation or abandonment, and that it is in the best interest of the city, it shall order the street vacated or abandoned. The city council may make the order conditional, and the order shall become effective only upon the fulfillment of the conditions prescribed.

The proposed vacation with the recommended conditions is in conformance with Section 8-7 of City code.

<u>FINDINGS</u>

- The proposed vacation is in conformance with the City of Elko Master Plan Land Use Component
- The proposed vacation is in conformance with the City of Elko Master Plan Transportation component.
- The property proposed for vacation is located within the Redevelopment Area.
- The proposed vacation is in conformance with NRS 278.479 to 278.480, inclusive.
- The proposed vacation with the recommended conditions is in conformance with Elko City Code 8-7.
- The proposed vacation will not materially injure the public and is in the best interest of the City.

STAFF RECOMMENDATION:

Staff recommends forward a recommendation to City Council to adopt a resolution which conditionally APPROVES the proposed vacation with the following conditions:

1. Written response from all non-City utilities is on file with the City of Elko with regard to the vacation in accordance with NRS 278.480(6) before the order is recorded.

Shelby Knopp

From: Stephen Lifferth <stephen.lifferth@beehive.net>
Sent: Friday, June 18, 2021 10:08 AM
To: Shelby Knopp
Subject: Re: Proposed Vacations 1-21, 2-21, 3-21, & 4-21

Hi Shelby,

Beehive has no interests in the proposed vacation. Let me know if you need anything additional.

Thanks!

From: Shelby Knopp <sknopp@elkocitynv.gov>
Date: Friday, June 18, 2021 at 11:02 AM
To: Stephen Lifferth <stephen.lifferth@beehive.net>
Subject: Proposed Vacations 1-21, 2-21, 3-21, & 4-21

Good Morning,
Please see the attached correspondence regarding the proposed Vacation No. 1-21, 2-21, 3-21, & 4-21, all filed by the City of Elko.
Let me know if you have any questions.

Thank you!

Shelby Knopp
Planning Technician
City of Elko
Planning Department
Ph (775) 777-7160
FX (775) 777-7219

CITY OF ELKO

Planning Department

Website: www.elkocity.com
Email:planning@elkocitynv.gov

1751 College Avenue · Elko, Nevada 89801 · (775) 777-7160 · Fax (775) 777-7219

June 18, 2021

Beehive Broadband
2000 N. Sunset Road
Lake Point, UT 84074

SUBJECT: Proposed Vacation No. 03-21 and 04-21

To Whom It May Concern:

Please be advised that the City of Elko Planning Department is processing a request filed by the City of Elko to vacate a portion of the 15th Street right-of-way located generally along the northeast side of APN 001-373-001 and the southwest side of APN 001-375-001. Please see enclosed map.

The City respectfully requests your assistance in determining whether there are any utility improvements or any other such interests within the area proposed to be vacated.

Please advise the Elko City Planning Department in writing concerning your agency's needs or interests as affected by this requested vacation, or submit a letter or email stating none of your interests are in the area, as **we are required to keep responses from all local utilities per NRS 278.480(6)**. The Planning Commission will consider this item on July 6, 2021. Thank you for your time and effort in this matter!

If you have any questions, please contact our office at 777-7160.

Sincerely,

Shelby Knopp
Planning Technician

Enclosures

Shelby Knopp

From: Amanda Marcucci <Amanda.Marcucci@swgas.com>
Sent: Monday, June 21, 2021 8:52 AM
To: Shelby Knopp
Subject: RE: EXTERNAL: Proposed Vacations 1-21, 2-21, 3-21, & 4-21

Hi Shelby,

Southwest Gas does not object to Proposed Vacations 1-21, 2-21, 3-21, & 4-21.

Amanda

Amanda Marcucci, PE | Supervisor/Engineering

PO Box 1190 | 24A-580 | Carson City, NV 89702-1190
direct 775.887.2871 | mobile 775.430.0723 | fax 775.882.6072
amanda.marcucci@swgas.com | www.swgas.com

From: Shelby Knopp <sknopp@elkocitynv.gov>
Sent: Friday, June 18, 2021 10:07 AM
To: Amanda Marcucci <Amanda.Marcucci@swgas.com>; NNDEngineering <nndengineering@swgas.com>
Subject: EXTERNAL: Proposed Vacations 1-21, 2-21, 3-21, & 4-21

[WARNING] This message originated outside of Southwest Gas. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

Good Morning,
Please see the attached correspondence regarding proposed Vacation No. 1-21, 2-21, 3-21, and 4-21, all filed by the City of Elko.
Let me know if you have any questions.

Thank you!

Shelby Knopp
Planning Technician
City of Elko
Planning Department

CITY OF ELKO

Planning Department

Website: www.elkocity.com
Email:planning@elkocitynv.gov

1751 College Avenue • Elko, Nevada 89801 • (775) 777-7160 • Fax (775) 777-7219

June 18, 2021

Southwest Gas Corporation
Engineering Department
PO Box 1190
Carson City, NV 89702-1190
nndengineering@swgas.com

SUBJECT: Proposed Vacation No. 03-21 and 04-21

To Whom It May Concern:

Please be advised that the City of Elko Planning Department is processing a request filed by the City of Elko to vacate a portion of the 15th Street right-of-way located generally along the northeast side of APN 001-373-001 and the southeast side of APN 001-375-001. Please see enclosed map.

The City respectfully requests your assistance in determining whether there are any utility improvements or any other such interests within the area proposed to be vacated.

Please advise the Elko City Planning Department in writing concerning your agency's needs or interests as affected by this requested vacation, or submit a letter or email stating none of your interests are in the area, as **we are required to keep responses from all local utilities per NRS 278.480(6)**. The Planning Commission will consider this item on July 6, 2021. Thank you for your time and effort in this matter!

If you have any questions, please contact our office at 777-7160.

Sincerely,

Shelby Knopp

Shelby Knopp
Planning Technician

Enclosures

CITY OF ELKO

Planning Department

Website: www.elkocity.com
Email:planning@elkocitynv.gov

1751 College Avenue · Elko, Nevada 89801 · (775) 777-7160 · Fax (775) 777-7219

June 18, 2021

NV Energy
Attn: Katherine Perkins
6100 Neil Road
Reno, NV 89511

SUBJECT: Proposed Vacation No. 03-21 and 04-21

Dear Ms. Perkins:

Please be advised that the City of Elko Planning Department is processing a request filed by the City of Elko to vacate a portion of the 15th Street right-of-way located generally along the northeast side of APN 001-373-002 and the southwest side of APN 001-375-001. Please see enclosed map.

The City respectfully requests your assistance in determining whether there are any utility improvements or any other such interests within the area proposed to be vacated.

Please advise the Elko City Planning Department in writing concerning your agency's needs or interests as affected by this requested vacation, or submit a letter or email stating none of your interests are in the area, as **we are required to keep responses from all local utilities per NRS 278.480(6)**. The Planning Commission will consider this item on July 6, 2021. Thank you for your time and effort in this matter!

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Sincerely,

Shelby Knopp

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1751 College Avenue • Elko, Nevada 89801 • (775) 777-7160 • Fax (775) 777-7219

June 18, 2021

Zito Media
Mr. Dustin Hurd
VIA Email: dustin.hurd@zitomedia.com

SUBJECT: Proposed Vacation No. 03-21 and 04-21

Dear Mr. Hurd:

Please be advised that the City of Elko Planning Department is processing a request filed by the City of Elko to vacate a portion of the 15th Street right-of-way located generally along the northeast side of APN 001-373-001 and the southwest side of APN 001-375-001. Please see enclosed map.

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1751 College Avenue • Elko, Nevada 89801 • (775) 777-7160 • Fax (775) 777-7219

June 18, 2021

Frontier Communication
Mr. John Poole
1520 Church Street
Gardnerville, NV 89410

SUBJECT: Proposed Vacation No. 03-21 and 04-21

Dear Mr. Poole:

Please be advised that the City of Elko Planning Department is processing a request filed by the City of Elko to vacate a portion of the 15th Street right-of-way located generally along the northeast side of APN 001-373-001 and the southwest side of APN 001-375-001. Please see enclosed map.

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If you have any questions, please contact our office at 777-7160.

Sincerely,

Shelby Knopp

Shelby Knopp
Planning Technician

Enclosures

June 23, 2021

City of Elko
Planning Department
Attn: Shelby Archuleta Knopp
Planning Technician
sarchuleta@elkocitynv.gov

Re: Proposed Vacation No. 3-21 and 04-21

Please be advised that Michael W. Lattin, Vice President / Field Operations for Elko Heat Company has reviewed the above vacation and Elko Heat Company has no issues with this vacation.

Please contact us if you have any additional questions or concerns.

Sincerely,

/s/ Pamela Lattin

Pamela Lattin
Secretary/Treasurer

CITY OF ELKO

Planning Department

Website: www.elkocity.com
Email:planning@elkocitynv.gov

1751 College Avenue · Elko, Nevada 89801 · (775) 777-7160 · Fax (775) 777-7219

June 18, 2021

Elko Heat
P.O. Box 2347
Elko, NV 89803

SUBJECT: Proposed Vacation No. 03-21 and 04-21

To Whom It May Concern:

Please be advised that the City of Elko Planning Department is processing a request filed by the City of Elko to vacate a portion of the 15th Street right-of-way located generally along the northeast side of APN 001-373-001 and the southwest side of APN 001-375-001. Please see enclosed map.

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Sincerely,

Shelby Knopp

Shelby Knopp
Planning Technician

Enclosures

CITY OF ELKO PLANNING DEPARTMENT

1751 College Avenue * Elko * Nevada * 89801 *

(775) 777-7160 * (775) 777-7119 fax

APPLICATION FOR VACATION OF CITY STREET, EASEMENT OR OTHER PUBLIC RIGHT-OF-WAY

APPLICANT(s): City of Elko

MAILING ADDRESS: 1751 College Avenue

PHONE NO (Home) 775-777-7217 **(Business)** _____

NAME OF PROPERTY OWNER (If different): _____

(Property owner's consent in writing must be provided.)

MAILING ADDRESS: _____

LEGAL DESCRIPTION AND LOCATION OF PROPERTY INVOLVED (Attach if necessary):

ASSESSOR'S PARCEL NO.: 001-375-001 **Address** 15th Street north of Silver Street

Lot(s), Block(s), &Subdivision _____ The Igloo, LLC

Or Parcel(s) & File No. _____

FILING REQUIREMENTS:

Complete Application Form: In order to begin processing the application, an application form must be complete and signed. Applications go before the City Council, Planning Commission, and back to City Council twice.

Fee: A $600.00 non-refundable fee.

Plot Plan: A plot plan provided by a properly licensed surveyor depicting the existing condition drawn to scale showing property lines, existing and proposed buildings, building setbacks, parking and loading areas, driveways and other pertinent information must be provided.

Legal Description: A complete legal description of the area proposed for vacation along with an exhibit depicting the area for vacation.

Note: One .pdf of the entire application must be submitted as well as one set of legible, reproducible plans 8 ½" x 11" in size. If the applicant feels the Commission needs to see 24" x 36" plans, 10 sets of pre-folded plans must be submitted.

Other Information: The applicant is encouraged to submit other information and documentation to support the request.

OWNER(S) OF THE PROPERTY ABUTTING THE AREA BEING REQUESTED FOR VACATION:

Flyers Energy, LLC Attn: Contracts 2360 Lindbergh St., Auburn, CA 95602

(Name) (Address)

OWNER(S) OF THE PROPERTY ABUTTING THE AREA BEING REQUESTED FOR VACATION:

The Igloo, Inc., Attn: Mike Shanks, 982 Wolf Creek Dr., Spring Creek, NV 89815

(Name) (Address)

1. Describe the nature of the request: Vacation of a portion of 15th Street consisting of approximately 13,600 square feet located north of Silver Street and south of the Union Pacific railroad right-of-way. The vacated right-of-way will be divided evenly to the adjacent parcels (6,800 square feet to The Igloo, Inc. and 6,800 square feet to Flyers Energy, LLC).

2. Describe any utilities currently located in the area proposed for vacation, and if any are present how they will be addressed: Water and sewer lines are currently located within the area proposed for vacation. An easement for public utilities has been prepared to allow the City to access these lines in the future if needed.

Use additional pages if necessary

This area intentionally left blank

By My Signature below:

☑ I consent to having the City of Elko Staff enter on my property only for the sole purpose of inspection said property as part of this application process.

☐ I object to having the City of Elko Staff enter onto my property as a part of their review of this application. (Your objection will not effect the recommendation made by the staff or the final determination made by the City Planning Commission or the City Council.)

☑ I acknowledge that submission of this application does not imply approval of this request by the City Planning Department, the City Planning Commission and the City Council, nor does it in and of itself guarantee issuance of any other required permits and/or licenses.

☑ I acknowledge that this application may be tabled until a later meeting if either I or my designated representative or agent is not present at the meeting for which this application is scheduled.

☑ I have carefully read and completed all questions contained within this application to the best of my ability.

Applicant / Agent Michele Rambo, Development Manager
(Please print or type)

Mailing Address 1751 College Avenue
Street Address or P.O. Box

Elko, NV 89801
City, State, Zip Code

Phone Number: 775-777-7217

Email address: mrambo@elkocitynv.gov

SIGNATURE: Michele Rambo

FOR OFFICE USE ONLY

File No.: 3-21 **Date Filed:** 6/17/21 **Fee Paid:** N/C

Exhibit A
LEGAL DESCRIPTION OF 15TH STREET VACATED TO THE IGLOO
(TRANSFERES TO APN: 001-375-001)

The northeasterly half of the remaining right-of-way shown as Vanderbilt Street, between Block 7 and Block F, on the map of Ballou's Addition to the Town (now City) of Elko, Nevada, recorded in the office of the Elko County Recorder as file no. 2, lying southeasterly of the Union Pacific Railroad right-of-way and lying northwesterly of the Silver Street right-of-way, located within the northwest quarter of Section 14, Township 34 North, Range 55 East, M.D.B.&M., and is further described as follows:

Beginning at the southerly most corner of said Block F of the Ballou's Addition;

Thence, southwesterly, along right-of-way of Silver Street, 40 feet, more or less, to the centerline of Vanderbilt Street as shown on said Ballou's Addition, sometimes referred to as 15th Street today;

Thence, northwesterly along the centerline of Vanderbilt Street, 170 feet, more or less, to the southeasterly edge of the right-of-way of the Union Pacific railroad, which has been widened by approximately 50 feet to the southeast since the mapping of Railroad Street as shown on said Ballou's Addition;

Thence, northeasterly along said southeasterly boundary of the right-of-way of the Union Pacific railroad, 40 feet more or less to the southwesterly boundary of said Block F of Ballou's Addition;

Thence, southeasterly along said southwesterly boundary of the Block F of Ballou's Addition, 170 feet, more or less, to the point of beginning.

This right-of-way hereby vacated and transferred to Block F (APN: 001-375-001) contains ±6,800 square feet.

The Basis of Bearings for this description is the map of Ballou's Addition to the Town (now City) of Elko, Nevada, recorded in the office of the Elko County Recorder as file no. 2, in January of 1900.

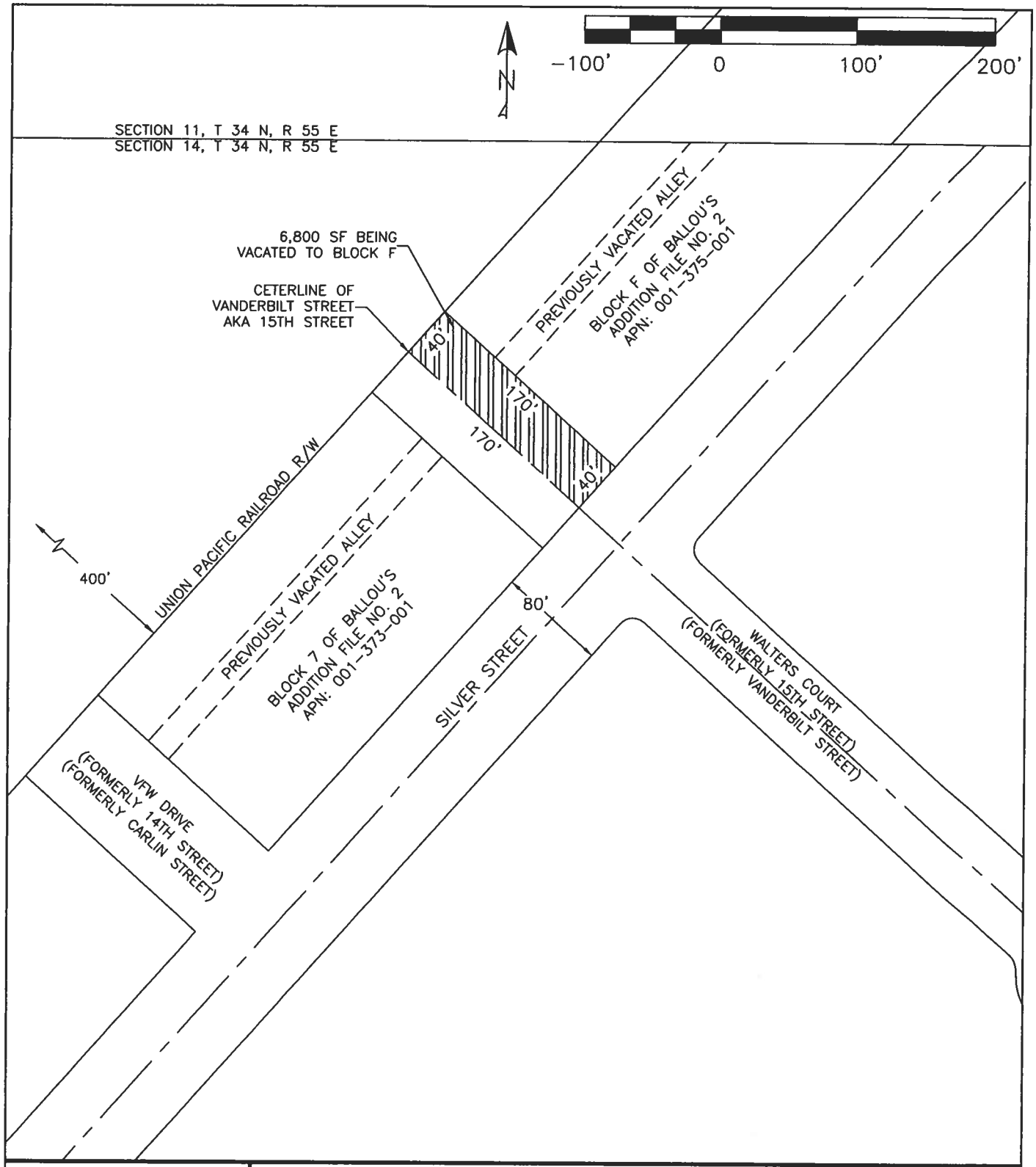
Description prepared by:

Robert Thibault, PE, PLS

Civil Engineer for the City of Elko

PROFESSIONAL LAND SURVEYOR
ROBERT THIBAULT
Exp. 4/30/22
No. 20723
STATE OF NEVADA

4/12/21



CITY OF ELKO
1751 COLLEGE AVE
ELKO, NEVADA 89801
775-777-7210

EXHIBIT B

DISPLAY MAP OF

IGLOO VACATED PROPERTY

Elko City Planning Commission
Agenda Action Sheet

1. Title: **Review, consideration, and possible recommendation to City Council for Vacation No. 4-21, filed by the City of Elko, for the vacation of a portion of 15th Street consisting of approximately 13,600 square feet, and matters related thereto. FOR POSSIBLE ACTION**

2. Meeting Date: **July 6, 2021**

3. Agenda Category: ***NEW BUSINESS, MISCELLANEOUS ITEMS, PETITIONS, AND COMMUNICATIONS***

4. Time Required: **15 Minutes**

5. Background Information: **Staff has determined that keeping the small amount of right-of-way on 15th Street is not in the best interest of the City due to the cost of constructing and maintaining a road that goes nowhere. Half of the street right-of-way (6,800 square feet) will be given back to each of the adjacent property owners (Flyers Energy Inc. and The Igloo, LLC). This agenda item is related to the portion being returned to Flyers Energy, Inc. City Council accepted the petition for the vacation on June 22, 2021. MR**

6. Business Impact Statement: **Not Required**

7. Supplemental Agenda Information: **Application, Staff Memo**

8. Recommended Motion: **Forward a recommendation to City Council to adopt a resolution which conditionally approves Vacation No. 4-21 based on facts, findings and conditions as presented in the Staff Report dated June 17, 2021.**

9. Findings: **See Staff Report dated June 17, 2021.**

10. Prepared By: **Michele Rambo, AICP, Development Manager**

11. Agenda Distribution: **Flyers Energy, LLC**
    Attn: David Dwelle
    dmdwelle@4flyers.com

    The Igloo, Inc.
    Attn: Mike Shanks
    shankseng@gmail.com

STAFF COMMENT FLOW SHEET
PLANNING COMMISSION AGENDA DATE: 7/6
Do not use pencil or red pen, they do not reproduce

Title: Vacation No. 4-21 - Flyers, LLC

Applicant(s): City of Elko

Site Location: Portion of 15th St Adj. to APN 001-373-001

Current Zoning: GI Date Received: 6/15/21 Date Public Notice: N/A

COMMENT: This is to vacate ≈ 13,600 sq.ft. of 15th St.

If additional space is needed please provide a separate memorandum

Assistant City Manager: Date: 6/25/21

Recommend approval

SAW

Initial

City Manager: Date:

Initial

City of Elko
1751 College Avenue
Elko, NV 89801
(775) 777-7160
FAX (775) 777-7119

CITY OF ELKO STAFF REPORT

MEMO DATE: June 17, 2021
PLANNING COMMISSION DATE: July 6, 2021
APPLICATION NUMBER: Vacation 4-21
APPLICANT: City of Elko
PROJECT DESCRIPTION: 15th Street north of Silver Street

Vacation of a portion of 15th Street consisting of approximately 13,600 square feet.

STAFF RECOMMENDATION:

RECOMMEND to APPROVE subject to findings of fact and conditions stated in this report.

PROJECT INFORMATION

PARCEL NUMBER: Between APN 001-375-001 and APN 001-373-001

EXISTING ZONING: GI – General Industrial

MASTER PLAN DESIGNATION: N/A

EXISTING LAND USE: Undeveloped street right-of-way

BACKGROUND:

1. The property is an undeveloped street right-of-way that serves only two lots (APNs 001-375-001 and 001-373-001).
2. The area proposed to be vacated is approximately 13,600 square feet to be divided equally between the two adjacent lots mentioned above.
3. The existing right-of-way stretches from Silver Street north 170 feet to the Union Pacific right-of-way and dead ends.
4. Utilities currently exist through this area so utility and drainage easements will need to be approved in conjunction with this vacation.
5. The adjacent properties have, and will continue to use, this area as a driveway. Therefore, a Reciprocal Easement Agreement will also need to be approved in conjunction with this vacation.

NEIGHBORHOOD CHARACTERISTICS:
The property is surrounded by:

North: General Industrial (GI) / Undeveloped
East: General Industrial (GI) / Undeveloped
South: Light Industrial (LI) / Undeveloped
West: General Industrial (GI) / Developed

PROPERTY CHARACTERISTICS:

1. The property is currently undeveloped street right-of-way.
2. The property is slopes to the south towards Silver Street

MASTER PLAN AND CITY CODES:
Applicable Master Plans and City Code Sections are:

NRS 278.479 to 278.480, inclusive
City of Elko Master Plan – Land Use Component
City of Elko Master Plan – Transportation Component
City of Elko Redevelopment Plan
City of Elko Code – Section 8-7 Street Vacation Procedures

<u>NRS 278.479 to 278.480 inclusive</u>

1. 278.480(4) If any right-of-way or easement required for a public purpose that is owned by a city or a county is proposed to be vacated, the governing body, or the planning commission, hearing examiner or other designee, if authorized to take final action by the

governing body, shall, not less than 10 business days before the public hearing described in subsection 5.

2. NRS 278.480 (5) Except as otherwise provided in subsection 6, if, upon public hearing, the governing body, or the planning commission, hearing examiner or other designee, if authorized to take final action by the governing body, is satisfied that the public will not be materially injured by the proposed vacation, it shall order the street or easement vacated. The governing body, or the planning commission, hearing examiner or other designee, if authorized to take final action by the governing body, may make the order conditional, and the order becomes effective only upon the fulfillment of the conditions prescribed. An applicant or other person aggrieved by the decision of the planning commission, hearing examiner or other designee may appeal the decision in accordance with the ordinance adopted pursuant to NRS 278.31895.
3. Per NRS 278.480(6) Public utility companies will be notified of the vacation on September 25, 2019 via first class mail.

MASTER PLAN – Land Use:

1. The Master Plan Land Use Atlas shows the surrounding area as Industrial Business Park and Industrial General.
2. The GI (General Industrial) Zoning District is listed as a corresponding zoning district for Industrial General designation.
3. Objective 7: Promote high quality and visually appealing industrial uses, where appropriate, to promote economic sustainability and strengthen the community's image.

The proposed vacation is in conformance with the Master Plan Land Use component.

MASTER PLAN - Transportation:

1. 15th Street is accessed from Silver Street.
2. This section of Silver Street is classified as a Commercial/Industrial Collector street.

The proposed vacation is in conformance with the Master Plan Transportation Component.

REDEVELOPMENT PLAN

- The area is located within the Redevelopment Area.
- The proposed vacation doesn't relate to parking or other elements which are part of the Redevelopment Plan.

The proposed vacation is in conformance with the Redevelopment Plan.

ELKO CITY CODE SECTION 8-7 STREET VACATION PROCEDURES

1. If it is determined by a majority vote of the city council that it is in the best interest of the city and that no person will be materially injured thereby, the city council, by motion, may propose the realignment, change, vacation, adjustment or abandonment of any street or any portion thereof. In addition, any abutting owner desiring the vacation of any street or easement or portion thereof shall file a petition in writing with the city council and the city council shall consider said petition as set forth above.

- The City Council made a motion at their meeting on June 22, 2021 and referred the matter to the Planning Commission for further consideration.

2. Except for a petition for the vacation or abandonment of an easement for a public utility owned or controlled by the city, the petition or motion shall be referred to the planning commission, which shall report its findings and recommendations thereon to the city council. The petitioner shall, prior to the consideration of the petition by the planning commission, pay a filing fee to the city in an amount established by resolution of the city council and included in the appendix to this code.

   - The filing fee was paid by the applicant.

3. Whenever any street, easement or portion thereof is proposed to be vacated or abandoned, the city council shall notify by certified mail each owner of property abutting the proposed vacation or abandonment and cause a notice to be published at least once in a newspaper of general circulation in the city setting forth the extent of the proposed vacation or abandonment and setting a date for public hearing, which date may be not less than ten (10) days and not more than forty (40) days subsequent to the date the notice is first published.

4. Order of City Council: Except as provided in subsection E of this section, if, upon public hearing, the City Council is satisfied that the public will not be materially injured by the proposed vacation or abandonment, and that it is in the best interest of the city, it shall order the street vacated or abandoned. The city council may make the order conditional, and the order shall become effective only upon the fulfillment of the conditions prescribed.

The proposed vacation with the recommended conditions is in conformance with Section 8-7 of City code.

<u>FINDINGS</u>

- The proposed vacation is in conformance with the City of Elko Master Plan Land Use Component
- The proposed vacation is in conformance with the City of Elko Master Plan Transportation component.
- The property proposed for vacation is located within the Redevelopment Area.
- The proposed vacation is in conformance with NRS 278.479 to 278.480, inclusive.
- The proposed vacation with the recommended conditions is in conformance with Elko City Code 8-7.
- The proposed vacation will not materially injure the public and is in the best interest of the City.

STAFF RECOMMENDATION:

Staff recommends forward a recommendation to City Council to adopt a resolution which conditionally APPROVES the proposed vacation with the following conditions:

1. Written response from all non-City utilities is on file with the City of Elko with regard to the vacation in accordance with NRS 278.480(6) before the order is recorded.

Shelby Knopp

From: Amanda Marcucci <Amanda.Marcucci@swgas.com>
Sent: Monday, June 21, 2021 8:52 AM
To: Shelby Knopp
Subject: RE: EXTERNAL: Proposed Vacations 1-21, 2-21, 3-21, & 4-21

Hi Shelby,

Southwest Gas does not object to Proposed Vacations 1-21, 2-21, 3-21, & 4-21.

Amanda

Amanda Marcucci, PE | Supervisor/Engineering

PO Box 1190 | 24A-580 | Carson City, NV 89702-1190
direct 775.887.2871 | mobile 775.430.0723 | fax 775.882.6072
amanda.marcucci@swgas.com | www.swgas.com

From: Shelby Knopp <sknopp@elkocitynv.gov>
Sent: Friday, June 18, 2021 10:07 AM
To: Amanda Marcucci <Amanda.Marcucci@swgas.com>; NNDEngineering <nndengineering@swgas.com>
Subject: EXTERNAL: Proposed Vacations 1-21, 2-21, 3-21, & 4-21

[WARNING] This message originated outside of Southwest Gas. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

Good Morning,
Please see the attached correspondence regarding proposed Vacation No. 1-21, 2-21, 3-21, and 4-21, all filed by the City of Elko.
Let me know if you have any questions.

Thank you!

Shelby Knopp
Planning Technician
City of Elko
Planning Department

CITY OF ELKO

Planning Department

Website: www.elkocity.com
Email:planning@elkocitynv.gov

1751 College Avenue · Elko, Nevada 89801 · (775) 777-7160 · Fax (775) 777-7219

June 18, 2021

Southwest Gas Corporation
Engineering Department
PO Box 1190
Carson City, NV 89702-1190
nndengineering@swgas.com

SUBJECT: Proposed Vacation No. 03-21 and 04-21

To Whom It May Concern:

Please be advised that the City of Elko Planning Department is processing a request filed by the City of Elko to vacate a portion of the 15th Street right-of-way located generally along the northeast side of APN 001-373-001 and the southeast side of APN 001-375-001. Please see enclosed map.

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If you have any questions, please contact our office at 777-7160.

Sincerely,

Shelby Knopp

Shelby Knopp
Planning Technician

Enclosures

Shelby Knopp

From: Stephen Lifferth <stephen.lifferth@beehive.net>
Sent: Friday, June 18, 2021 10:08 AM
To: Shelby Knopp
Subject: Re: Proposed Vacations 1-21, 2-21, 3-21, & 4-21

Hi Shelby,

Beehive has no interests in the proposed vacation. Let me know if you need anything additional.

Thanks!

From: Shelby Knopp <sknopp@elkocitynv.gov>
Date: Friday, June 18, 2021 at 11:02 AM
To: Stephen Lifferth <stephen.lifferth@beehive.net>
Subject: Proposed Vacations 1-21, 2-21, 3-21, & 4-21

Good Morning,
Please see the attached correspondence regarding the proposed Vacation No. 1-21, 2-21, 3-21, & 4-21, all filed by the City of Elko.
Let me know if you have any questions.

Thank you!

Shelby Knopp
Planning Technician
City of Elko
Planning Department
PH (775) 777-7160
FX (775) 777-7219

CITY OF ELKO

Planning Department

Website: www.elkocity.com
Email:planning@elkocitynv.gov

1751 College Avenue · Elko, Nevada 89801 · (775) 777-7160 · Fax (775) 777-7219

June 18, 2021

Beehive Broadband
2000 N. Sunset Road
Lake Point, UT 84074

SUBJECT: Proposed Vacation No. 03-21 and 04-21

To Whom It May Concern:

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Sincerely,

Shelby Knopp
Planning Technician

Enclosures

June 23, 2021

City of Elko
Planning Department
Attn: Shelby Archuleta Knopp
Planning Technician
sarchuleta@elkocitynv.gov

Re: Proposed Vacation No. 3-21 and 04-21

Please be advised that Michael W. Lattin, Vice President / Field Operations for Elko Heat Company has reviewed the above vacation and Elko Heat Company has no issues with this vacation.

Please contact us if you have any additional questions or concerns.

Sincerely,

/s/ Pamela Lattin

Pamela Lattin
Secretary/Treasurer

CITY OF ELKO

Planning Department

Website: www.elkocity.com
Email:planning@elkocitynv.gov

1751 College Avenue · Elko, Nevada 89801 · (775) 777-7160 · Fax (775) 777-7219

June 18, 2021

Elko Heat
P.O. Box 2347
Elko, NV 89803

SUBJECT: Proposed Vacation No. 03-21 and 04-21

To Whom It May Concern:

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If you have any questions, please contact our office at 777-7160.

Sincerely,

Shelby Knopp

Shelby Knopp
Planning Technician

Enclosures

CITY OF ELKO

Planning Department

Website: www.elkocity.com
Email:planning@elkocitynv.gov

1751 College Avenue · Elko, Nevada 89801 · (775) 777-7160 · Fax (775) 777-7219

June 18, 2021

Frontier Communication
Mr. John Poole
1520 Church Street
Gardnerville, NV 89410

SUBJECT: Proposed Vacation No. 03-21 and 04-21

Dear Mr. Poole:

Please be advised that the City of Elko Planning Department is processing a request filed by the City of Elko to vacate a portion of the 15th Street right-of-way located generally along the northeast side of APN 001-373-001 and the southwest side of APN 001-375-001. Please see enclosed map.

The City respectfully requests your assistance in determining whether there are any utility improvements or any other such interests within the area proposed to be vacated.

Please advise the Elko City Planning Department in writing concerning your agency's needs or interests as affected by this requested vacation, or submit a letter or email stating none of your interests are in the area, as **we are required to keep responses from all local utilities per NRS 278.480(6)**. The Planning Commission will consider this item on July 6, 2021. Thank you for your time and effort in this matter!

If you have any questions, please contact our office at 777-7160.

Sincerely,

Shelby Knopp

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June 18, 2021

Zito Media
Mr. Dustin Hurd
VIA Email: dustin.hurd@zitomedia.com

SUBJECT: Proposed Vacation No. 03-21 and 04-21

Dear Mr. Hurd:

Please be advised that the City of Elko Planning Department is processing a request filed by the City of Elko to vacate a portion of the 15th Street right-of-way located generally along the northeast side of APN 001-373-001 and the southwest side of APN 001-375-001. Please see enclosed map.

The City respectfully requests your assistance in determining whether there are any utility improvements or any other such interests within the area proposed to be vacated.

Please advise the Elko City Planning Department in writing concerning your agency's needs or interests as affected by this requested vacation, or submit a letter or email stating none of your interests are in the area, as **we are required to keep responses from all local utilities per NRS 278.480(6)**. The Planning Commission will consider this item on July 6, 2021. Thank you for your time and effort in this matter!

If you have any questions, please contact our office at 777-7160.

Sincerely,

Shelby Knopp

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1751 College Avenue • Elko, Nevada 89801 • (775) 777-7160 • Fax (775) 777-7219

June 18, 2021

NV Energy
Attn: Katherine Perkins
6100 Neil Road
Reno, NV 89511

SUBJECT: Proposed Vacation No. 03-21 and 04-21

Dear Ms. Perkins:

Please be advised that the City of Elko Planning Department is processing a request filed by the City of Elko to vacate a portion of the 15th Street right-of-way located generally along the northeast side of APN 001-373-002 and the southwest side of APN 001-375-001. Please see enclosed map.

The City respectfully requests your assistance in determining whether there are any utility improvements or any other such interests within the area proposed to be vacated.

Please advise the Elko City Planning Department in writing concerning your agency's needs or interests as affected by this requested vacation, or submit a letter or email stating none of your interests are in the area, as **we are required to keep responses from all local utilities per NRS 278.480(6)**. The Planning Commission will consider this item on July 6, 2021. Thank you for your time and effort in this matter!

If you have any questions, please contact our office at 777-7160.

Sincerely,

Shelby Knopp

Shelby Knopp
Planning Technician

Enclosures

CITY OF ELKO PLANNING DEPARTMENT

1751 College Avenue * Elko * Nevada * 89801 *

(775) 777-7160 * (775) 777-7119 fax

APPLICATION FOR VACATION OF CITY STREET, EASEMENT OR OTHER PUBLIC RIGHT-OF-WAY

APPLICANT(s): City of Elko
MAILING ADDRESS: 1751 College Avenue
PHONE NO (Home) 775-777-7217 **(Business)** _____
NAME OF PROPERTY OWNER (If different): _____
(Property owner's consent in writing must be provided.)
MAILING ADDRESS: _____
LEGAL DESCRIPTION AND LOCATION OF PROPERTY INVOLVED (Attach if necessary):
ASSESSOR'S PARCEL NO.: 001-373-001 **Address** 15th Street north of Silver Street
Lot(s), Block(s), &Subdivision Flyers, LLC
Or Parcel(s) & File No. _____

FILING REQUIREMENTS:

Complete Application Form: In order to begin processing the application, an application form must be complete and signed. Applications go before the City Council, Planning Commission, and back to City Council twice.

Fee: A $600.00 non-refundable fee.

Plot Plan: A plot plan provided by a properly licensed surveyor depicting the existing condition drawn to scale showing property lines, existing and proposed buildings, building setbacks, parking and loading areas, driveways and other pertinent information must be provided.

Legal Description: A complete legal description of the area proposed for vacation along with an exhibit depicting the area for vacation.

Note: One .pdf of the entire application must be submitted as well as one set of legible, reproducible plans 8 ½" x 11" in size. If the applicant feels the Commission needs to see 24" x 36" plans, 10 sets of pre-folded plans must be submitted.

Other Information: The applicant is encouraged to submit other information and documentation to support the request.

OWNER(S) OF THE PROPERTY ABUTTING THE AREA BEING REQUESTED FOR VACATION:

Flyers Energy, LLC Attn: Contracts 2360 Lindbergh St., Auburn, CA 95602

(Name) (Address)

OWNER(S) OF THE PROPERTY ABUTTING THE AREA BEING REQUESTED FOR VACATION:

The Igloo, Inc., Attn: Mike Shanks, 982 Wolf Creek Dr., Spring Creek, NV 89815

(Name) (Address)

1. Describe the nature of the request: Vacation of a portion of 15th Street consisting of approximately 13,600 square feet located north of Silver Street and south of the Union Pacific railroad right-of-way. The vacated right-of-way will be divided evenly to the adjacent parcels (6,800 square feet to The Igloo, Inc. and 6,800 square feet to Flyers Energy, LLC).

2. Describe any utilities currently located in the area proposed for vacation, and if any are present how they will be addressed: Water and sewer lines are currently located within the area proposed for vacation. An easement for public utilities has been prepared to allow the City to access these lines in the future if needed.

Use additional pages if necessary

This area intentionally left blank

By My Signature below:

☑ I consent to having the City of Elko Staff enter on my property only for the sole purpose of inspection said property as part of this application process.

☐ I object to having the City of Elko Staff enter onto my property as a part of their review of this application. (Your objection will not effect the recommendation made by the staff or the final determination made by the City Planning Commission or the City Council.)

☑ I acknowledge that submission of this application does not imply approval of this request by the City Planning Department, the City Planning Commission and the City Council, nor does it in and of itself guarantee issuance of any other required permits and/or licenses.

☑ I acknowledge that this application may be tabled until a later meeting if either I or my designated representative or agent is not present at the meeting for which this application is scheduled.

☑ I have carefully read and completed all questions contained within this application to the best of my ability.

Applicant / Agent Michele Rambo, Development Manager
(Please print or type)

Mailing Address 1751 College Avenue
Street Address or P.O. Box

Elko, NV 89801
City, State, Zip Code

Phone Number: 775-777-7217

Email address: mrambo@elkocitynv.gov

SIGNATURE: Michele Rambo

FOR OFFICE USE ONLY

File No.: 4-21 **Date Filed:** 6/17/21 **Fee Paid:** N/a

Exhibit A
LEGAL DESCRIPTION OF 15TH STREET VACATED TO FLYERS
(TRANSFERES TO APN: 001-373-001)

The southwesterly half of the remaining right-of-way shown as Vanderbilt Street, between Block 7 and Block F, on the map of Ballou's Addition to the Town (now City) of Elko, Nevada, recorded in the office of the Elko County Recorder as file no. 2, lying southeasterly of the Union Pacific Railroad right-of-way and lying northwesterly of the Silver Street right-of-way, located within the northwest quarter of Section 14, Township 34 North, Range 55 East, M.D.B.&M., and is further described as follows:

Beginning at the easterly most corner of said Block 7 of the Ballou's Addition;

Thence, northwesterly along the northeasterly boundary of said Block 7 of the Ballou's Addition, 170 feet, more or less, to the southeasterly edge of the right-of-way of the Union Pacific railroad, which has been widened by approximately 50 feet to the southeast since the mapping of Railroad Street as shown on said Ballou's Addition;

Thence, northeasterly along said southeasterly boundary of the right-of-way of the Union Pacific railroad, 40 feet more or less to the centerline of Vanderbilt Street as shown on said Ballou's Addition, sometimes referred to as 15th Street today;

Thence, southeasterly along said centerline of Vanderbilt Street, 170 feet, more or less, to the northwesterly right-of-way of Silver Street;

Thence, southwesterly, along said northwesterly right-of-way of Silver Street, 40 feet, more or less, to the point of beginning.

This right-of-way hereby vacated and transferred to Block 7 (APN: 001-373-001) contains ±6,800 square feet.

The Basis of Bearings for this description is the map of Ballou's Addition to the Town (now City) of Elko, Nevada, recorded in the office of the Elko County Recorder as file no. 2, in January of 1900.

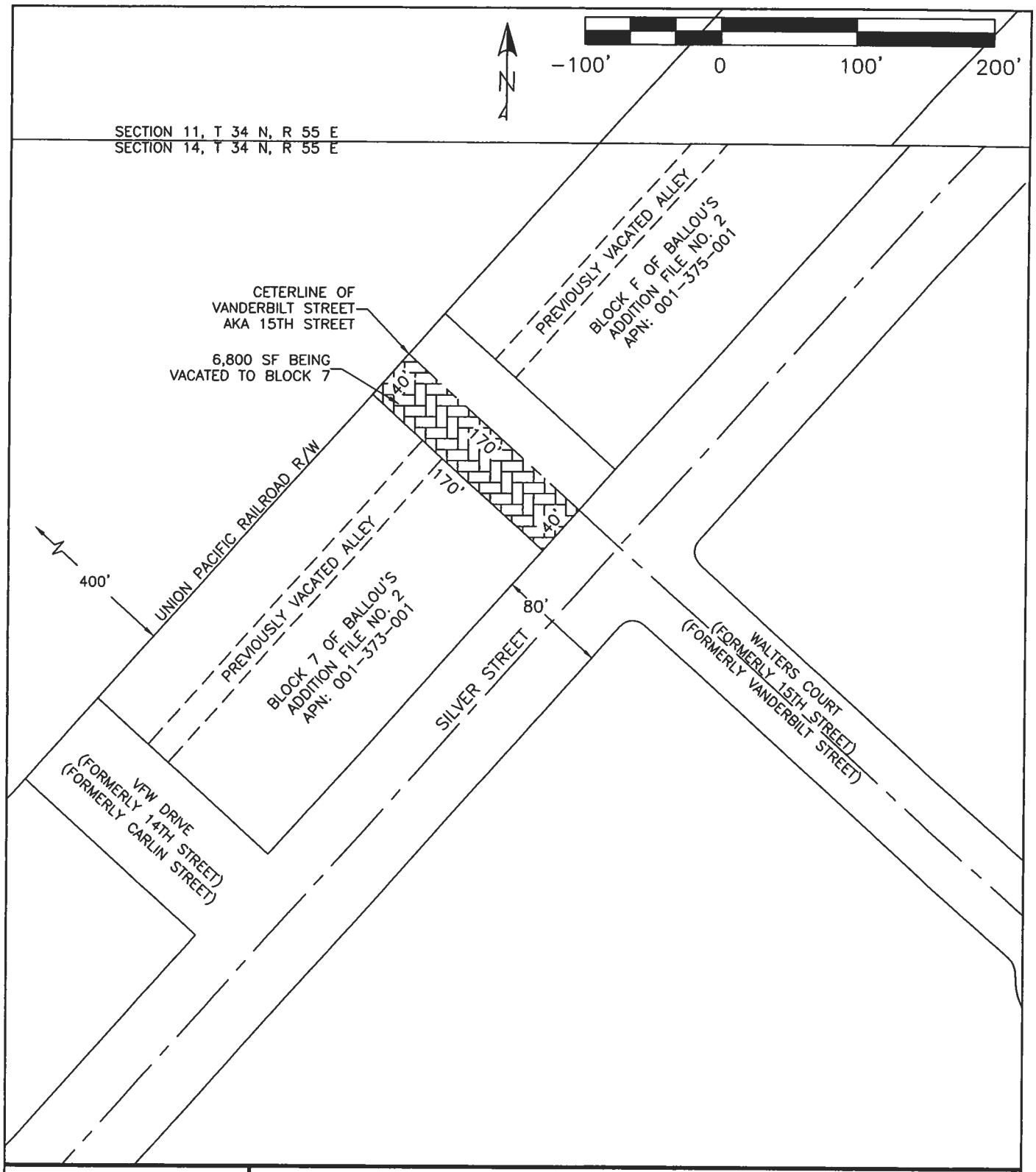
Description prepared by:

Robert Thibault, PE, PLS

Civil Engineer for the City of Elko

PROFESSIONAL LAND SURVEYOR STATE OF NEVADA
ROBERT THIBAULT
Exp. 6/30/22
No. 20723

4/12/21



CITY OF ELKO
1751 COLLEGE AVE
ELKO, NEVADA 89801
775-777-7210

EXHIBIT B

DISPLAY MAP OF

FLYERS VACATED PROPERTY

Elko City Planning Commission
Agenda Action Sheet

1. Title: **Review, consideration, and possible action to initiate an amendment to the City Zoning Ordinance, specifically Section 3-2-17 (Traffic, Access, Parking, and Loading Regulations), and matters related thereto. FOR POSSIBLE ACTION**

2. Meeting Date: **July6, 2021**

3. Agenda Category: *MISCELLANEOUS ITEMS, PETITIONS, AND COMMUNICATIONS*

4. Time Required: **10 Minutes**

5. Background Information: **A long-standing policy of City staff was to require driveways for single-family residences be designed with a slope of 14 percent or less. However, this requirement was never added to the City Code. With more and more housing development moving up into the hills, it has become necessary to codify this 14 percent requirement. During the process of adding this, staff took the opportunity to update and/or modify other portions of this Section.**

6. Business Impact Statement: **Not Required**

7. Supplemental Agenda Information: **Proposed 3-2-17 (with track changes)**

8. Recommended Motion: **Move to initiate an amendment to the City Zoning Ordinance, specifically Section 3-2-17 (Traffic, Access, Parking, and Loading Regulations) and direct staff to bring the item back as a public hearing.**

9. Prepared By: **Michele Rambo, AICP, Development Manager**

10. Agenda Distribution:

STAFF COMMENT FLOW SHEET
PLANNING COMMISSION AGENDA DATE: 7/6

Do not use pencil or red pen, they do not reproduce

Title: Initiation of Zoning Ordinance Amendment No. 3-21

Applicant(s): City of Elko

Site Location: N/A

Current Zoning: N/A Date Received: N/A Date Public Notice: N/A

COMMENT: This is to Initiate an amendment to Section 3-2-17 of the City Code, Traffic, Access, Parking, and Loading Regulations

****If additional space is needed please provide a separate memorandum****

Assistant City Manager: Date: 6/25/21

Recommend Initiation of proposed amendment

SALW

Initial

City Manager: Date:_____

Initial

3-2-17: TRAFFIC, ACCESS, PARKING AND LOADING REGULATIONS:

It is the intent of this ~~chapter~~ Chapter to secure optimum coordination and interaction between land use and transportation facilities. Preservation and improvement of the traffic function of abutting streets~~,~~ and of the major street system as a whole~~,~~ are essential considerations in the project planning stage of land development. It is the purpose of this section to establish the regulations necessary to assure that every land use will be so located and planned as to minimize traffic congestion, hazards, and vehicular pedestrian conflicts. ~~It is the further purpose to~~This Chapter also places ~~upon the property owner~~ the primary responsibility for ~~relieving public streets of the burden of on~~ reducing street parking on property owners and ~~to provide~~ contains the regulations and minimum standards essential to the planning and development of adequate off~~-~~-street parking.

A. Property Owner Responsibility: It shall be the duty and responsibility of ~~the~~ each property owner to plan and develop his or her property in such a way that:

1. On street space will ~~never~~ not be required to satisfy parking or loading space needs;

2. Points of access from ~~the~~ adjacent public streets will be minimized; and

3. Driveway openings will be ~~so~~ located and dimensioned ~~as~~ to minimize ~~the~~ disruption ~~of~~ to passing traffic and the creation of traffic hazards.

4. Driveways will be located to provide direct access from driveway openings to any required off street parking.

B. Regulations Pertaining ~~T~~to Traffic: Every use of land shall conform to the following general standards, in addition to the special standards for certain specific uses of land as set forth in this ~~chapter~~Chapter:

1. Traffic Visibility: No obstructions to visibility at any street intersection that interfere with the ability of motorists to observe traffic signs, vehicle and pedestrians, including~~,~~ but not limited to~~,~~ structures, signs, parked vehicles~~,~~ or vegetation~~,~~ shall be allowed or permitted to remain in any zoning district between the heights of two and one-half feet ($2^1/_2$') and eight feet (8') above the ground.

2. Driveway~~s~~ Openings: "Driveway o~~O~~penings" means ~~are defined as~~ the transition area from a public road or public street within a right-of-way or easement extending to a private property line for the purpose of allowing ingress and egress of vehicular traffic. With the exception of driveway openings ~~s~~ that were in conformance with this Code at the time of their installation or modification and are permitted to continue as legal nonconforming uses, ~~A~~all driveway openings~~s~~ that are installed, altered, changed, replaced, or extended ~~after the effective date hereof shall be subject to the approval of~~ shall comply with the requirements set forth in this Chapter and be approved by the City prior to installation or modification.~~the cCity's Civil eEngineer or duly authorized representative, and shall comply with standards set forth in this chapter, including~~ All driveway openings ~~s~~ subject to this section shall satisfy the following requirements:

a. Pedestrian or Vehicular Traffic Hazards.

Driveway openings which contribute to or result in the creation of pedestrian or vehicular traffic hazards may shall not be approved without absent extenuating circumstances. Factors or circumstances which may represent a hazardous situation include the following: The following factors shall be considered in determining whether a condition creates a pedestrian or vehicular traffic hazard:

(1) 1. Obstructions to visibility at the intersection of a public street and proposed driveway.

(2) 2. Traffic congestion and the risk of vehicular pedestrian conflicts at the intersection of a public street and proposed driveway.

(3) 3. Multiple proposed driveway openings or added driveway openings combined with existing driveway openings, which increase vehicular traffic conflict points in the public street.

b. Single-Family Residential Driveway Openings.

1. o Driveway Oopenings at single-family residences for off--street parking pertaining to accessory uses in conformance with Section 3-2-5 shall not exceed thirty twenty feet (30' 20') in width, or for covered parking (such as detached garage or carport) the width of the garage or carport, and thirty feet (30') in width or the width of the garage or carport for covered off street parking opening, whichever is greater, for attached parking, as measured at the street line, exclusive of curb returns or tapers; , except as otherwise provided herein provided, that no driveway opening shall conflict with the regulations foundrequirements set forth in Section B(3)(c), below.

1. 2. Driveways shall be designed with a minimum slope of 0.5% and a maximum slope of 14%. Slopes between 10% and 14%, inclusive, aremay be allowed under unique circumstances only whenif the developer/contractor can demonstrate a hardship which would make a slope less than 10% infeasibleimpractical.

c. For commercial and industrial uses, driveway openings shall not exceed forty--four feet (44') in width measured at the street line, exclusive of curb returns or tapers. However, in special circumstances where, based upon facts presented to the cCity's Civil eEngineer's office, the cCity's Civil eEngineer determines there is ain the event the City determines that need in the interest of public safety would best be served forby a multiple lane driveway opening configuration, the cCity's Civil eEngineer or duly authorized representativeCity may approve a driveway openings greater than the maximum width prescribed in this section.

d. Driveway openings for vVehicular entrances and exits to drive-in theaters, stadiums, racetracks, funeral homes, and similar uses generating very heavy, periodic traffic conflicts, shall be located not closer than two hundred feet (200') to any intersection or any pedestrian entrance or exit to or from a school, college, university, church, hospital, public emergency shelter, or other place of public assembly.

3. Access:

a. Roadway Classifications: All roadway classifications shall be determined in accordance with the ~~t~~Transportation component of the ~~c~~City of Elko ~~m~~Master ~~p~~Plan.

b. Private Access: No direct private access shall be permitted to ~~the~~ an existing or proposed right of way of any freeway, interstate highway, expressway, or controlled access arterial street without the ~~express~~ written permission of the ~~c~~City ~~of Elko~~ or other governmental entity having jurisdiction over the location where the access is proposed.

c. Public ~~Or~~ or Private Access: Direct public or private access shall meet the minimum standards set forth in this section based on the applicable roadway classifications; provided: (1) the Nevada ~~d~~Department of ~~t~~Transportation (NDOT) shall be granted access through existing NDOT rights of way; and (2) NDOT may be granted access through property owned by the ~~c~~City ~~of Elko~~; further provided, the City~~city~~ may, in its discretion, modify the minimum standards set forth in this section ~~under circumstances in which~~if the property owner demonstrates that physical site conditions and/or the location of existing rights of way render strict compliance impractical or impossible. Except as otherwise provided in this subsection, the following access standards shall apply based on the applicable roadway classification:

(1) The City may grant a ~~P~~private property owner~~s~~ ~~may be granted~~ access from a principal or ~~/~~major arterial street~~s~~ if there is no other reasonable access to the parcel, in which event access shall be restricted to right turns only and shall be located no less than three hundred fifty feet (350') from all other intersections and points of access. Access from principal or~~/~~ major arterial streets shall be shared with adjacent properties where feasible.

(2) Access from minor arterial streets shall be permitted~~, provided~~ so long as it is located no less than two hundred fifty feet (250') from intersections and other points of access. Access from minor arterial streets shall be shared with adjacent properties where feasible.

(3) Access to collector streets from residential parcels shall be permitted~~, provided~~ so long as the design does not force or encourage vehicles to back into streets, further provided the access is located no less than seventy five feet (75') from intersections and twenty five feet (25') from other points of access.

(4) Access to collector streets from nonresidential parcels shall be permitted~~, provided~~ so long as the access is located no less than one hundred fifty feet (~~100'~~150') from intersections and other points of access.

(5) Access to local streets from residential parcels shall be permitted~~, provided~~ so long as the access is located no less than thirty feet (30') from all other intersections and no less than ten feet (10') from other points of access.

(6) Access to local streets from nonresidential parcels shall be permitted~~, provided~~ so long as the access is located no less than fifty feet (50') from intersections and thirty feet (30') from all other points of access.

d. Points of Access, Driveways, ~~A~~and Parking Spaces: Except for single-family dwellings and two-family dwellings, points of access, driveway, and parking space location and design shall include a paved turning area ~~allowing~~ that allows vehicles to turn around and ~~head~~ travel into a public street. Except as provided above, under no circumstance shall any off street parking lot be so arranged or designed as to necessitate backing a vehicle into a public street.

e. Civil Improvements Required: All civil improvements required pursuant to ~~this code~~the City Code (to include, without limitation, ~~t~~Title 8, ~~c~~Chapter 18, "Public Improvement Standards"~~, of this code~~) shall be completed on the full frontage of the lot, parcel, or tract of real property prior to ~~the~~ granting ~~of~~ access to any ~~c~~City right of way or easement from the lot, parcel or tract. Civil improvements shall ~~be consistent~~satisfy ~~with~~ the public improvement~~s~~ standards and requirements ~~identified~~set forth in ~~c~~Chapters 3 ~~or~~and 5 of this ~~t~~Title, ~~whichever is~~as applicable, and shall satisfy all other applicable requirements of ~~this code~~the City Code. All civil improvements ~~are to~~must be approved by the ~~c~~City ~~of Elko and~~, constructed by a properly licensed contractor and certified by a properly licensed engineer.

f. Revocation of~~Of~~ Access: Permission to ~~A~~access to ~~c~~City ~~of Elko~~ rights of way or easements may be revoked if conditions identified in the approval of the civil improvement plans are not satisfied or if a person attempts to access to ~~c~~City of Elko rights of way or easements ~~is taken that has not been approved~~without prior approval by the City following ~~through~~ the submittal of civil improvement plans.

4. Traffic Counts: ~~All~~ A real property owner who divides land into two (2) or more parcels for transfer or development ~~developers~~ shall provide calculations in accordance with the Institute ~~O~~of Traffic Engineers (ITE) "Traffic Generation Manual" for the anticipated traffic load created by the division of land~~development~~. In the event the ~~c~~City determines that a proposed ~~development~~division of land is likely to create a traffic load exceeding one thousand (1,000) vehicles per day (vpd), or if the ~~city~~ City determines that the resulting increase in traffic from a proposed transfer or development will likely decrease the level of service (LOS) of a roadway based on the current traffic counts on that roadway to an LOS of D or worse as determined in accordance with the "Highway Capacity Manual" and the AASHTO publication entitled "Geometric Design Of Highways ~~And~~ and Streets", the ~~developer~~ real property owner shall complete and submit to the ~~c~~City a traffic study prior to submitting plans for civil improvements. The city may take the traffic study into consideration in approving or rejecting any civil improvement plans related to the proposed division of land~~development~~.

C. General Off-~~-~~Street Parking Regulations: In all zoning districts, off-~~-~~street parking ~~facilities~~ areas must be provided in accordance with the provisions of this section for: 1) new buildings, establishments, or uses of land ~~established after the effective date of this amendment, i.e., June 12, 2002~~; and 2) existing buildings, establishments or uses of land which are extended, enlarged or altered ~~after the effective date of this amendment~~.

1. ~~Legal Conforming Bb~~~~B~~uildings, establishments, or uses of land established and in operation prior to ~~the effective date of this amendment~~ June 12, 2002 that were in compliance with this Chapter on that date shall be exempt from the requirements of this section; provided, however, that whenever such buildings, establishments, or uses of land are extended, enlarged, modified,

increased, or altered, off-street parking facilities shall be provided for the extended, enlarged, modified, increased or altered area in accordance with the provisions of this section; further provided, any extension, enlargement modification, increase or alteration of a building, establishment or use of land shall be subject to any additional parking requirements contained in this Title or required by the City in accordance with the City Code, to include, without limitation, additional parking requirements contained in a conditional use permit. ~~or increased floor area in accordance with the provisions of this section.~~

2. ~~The owner or occupant of any building, establishment, or use of land subject to~~ No person required to provide off-street parking ~~requirements~~ under this section ~~shall not~~may discontinue ~~n~~or reduce any existing required parking without first ~~having established~~providing ~~other~~ replacement parking in accordance with provisions of this section.

3. Except as otherwise provided in Subsection 4, below, ~~Offoff- street R~~required off street parking spaces ~~of~~ used in connection with any establishment or business which are located within any public street or right of way and thus, nonconforming with the requirements of this section, ~~must~~shall be deemed ~~be~~ abandoned ~~or relocated in accordance with provisions of this section~~ within ninety (90) days upon the automatic termination of the legal nonconforming use of parking caused by any one of the following events:

   a. A change in use of any building or land owned, leased, or used by ~~an~~ the establishment or business;

   b. Any enlargement, expansion, or addition to any building owned, leased, or used by ~~an~~ the establishment or business that is in excess of four hundred (400) square feet of gross floor area; or

   c. The occupancy by ~~any~~ the establishment or business of a building that has not been occupied or used for a period of at least ~~nine (9) out of~~ twelve (12) consecutive months.

4. ~~The only way an establishment or business can prevent the automatic abandonment of the use of the p~~Parking spaces used in connection with an establishment or business that are located within any public street or right of way shall be automatically deemed abandoned unless ~~as set forth above is for~~ the establishment or business ~~to~~ obtains a revocable permit for use of the parking spaces from the ~~c~~City ~~c~~Council. In order to obtain any such revocable permit, the applicant must first ~~appear before~~present an application for a revocable permit to the ~~p~~Planning ~~c~~Commission for consideration. The recommendation of the ~~p~~Planning ~~c~~Commission must then be submitted to the ~~c~~City ~~c~~Council. If the ~~c~~City ~~c~~Council grants any such revocable permit, it may be granted subject to any terms or conditions required by the ~~c~~City ~~c~~Council which the ~~c~~City ~~c~~Council deems to be in the best interest of the ~~c~~City.

D. Location ~~A~~and Placement ~~O~~of Required Off-Street Parking:

1. General: Every part of every off-street parking facility shall be set back from every lot line a sufficient distance to assure that no part of any parked vehicle ~~will~~ can project over the lot line.

2. Residential Uses:

a. In any residential zoning district other than the RMH-1 district, no required off-~~-~~street parking space shall be located in a required front yard or ~~interior~~ side yard.

b. Required ~~off~~ off-street parking shall be located on the same lot or parcel as the use it is intended to serve; provided, however, that:

(1) Parking for cooperative or condominium type multi-family dwellings, fraternities, sororities and rooming houses, may be provided in a parking lot not farther than two hundred feet (200') from the entrance to the dwelling unit it is intended to serve.

(2) Required parking for ~~any~~ multi-family dwellings~~,~~ in excess of one space per dwelling unit~~,~~ may be located on a separate, abutting lot or parcel in a parking lot not more than three hundred feet (300') from the dwelling units it is intended to serve.

3. Nonresidential Uses:

a. Required off-~~-~~street parking shall be located within three hundred feet (300') of the ~~building or use~~real property it is intended to serve~~, the distance being~~ as measured along the sidewalk from the nearest point of the building or ~~use~~ structure to the nearest point of the parking lot; provided, however, that parking facilities for a stadium, auditorium, outdoor sports arena, or similar use, may be located not farther than one thousand three hundred feet (1,300') from the nearest point of such building or ~~use~~structure.

b. Every nonresidential parking lot abutting a residential district ~~on the same side of the street in the same block~~ shall be set back a distance not less than the minimum ~~abutting~~ required setback for abutting principal residential buildings in ~~the same block~~that residential district;~~,~~ ~~i.e.~~ for example, the parking lot setback ~~to~~must ~~match~~be equal to or greater than the interior side yard setback if abutting an interior side yard.

4. Documentation Required: Whenever the use of a separate lot or parcel is proposed for fulfillment of minimum parking requirements, the owner shall submit as a part of an occupancy certificate satisfactory assurance that the separate lot or parcel is permanently committed to parking use by deed restriction or other enforceable legal measure.

E. Methods ~~O~~of Providing Required Off-~~-~~Street Parking: Required off-~~-~~street parking may be provided by any one or combination of the following methods:

1. By providing the required parking space on the same lot as the building or use being served.

2. By the collective provision of required parking for two (2) or more buildings or uses, whereupon the total of such parking shall be not less than the sum of the requirements for the several buildings or uses computed separately; provided, however, that if two (2) or more such buildings or uses have operating hours which do not overlap, the ~~p~~Planning ~~c~~Commission, upon appeal, may grant a reduction of the collective requirement based upon the special circumstances involved. A written agreement for joint use of such facilities shall be executed between the parties concerned and a copy shall be filed with the ~~building inspector~~ Planning ~~d~~Department and recorded with the County Recorder's Office.

3. By securing the consent to use off-street parking facilities under another's ownership which are not otherwise used during the principal operating hours of the building or use in question; provided, however, that such consent shall be in written form and a copy shall be filed with the ~~building inspector~~Planning department and recorded with the County Recorder's Office.

4. In any zoning district and for cause shown, the ~~p~~Planning ~~c~~Commission may waive all or any portion of an off-street parking requirement, provided such waiver does not conflict with the purpose and intent of this chapter. In conjunction with the review and consideration of a parking waiver, the ~~c~~City shall notify all adjacent property owners as listed on the ~~c~~County ~~a~~Assessor's records not less than ten (10) days prior to the date of the ~~p~~Planning ~~c~~Commission meeting. Any decision of the ~~p~~Planning ~~c~~Commission associated with a request to waive an off street parking requirement may be appealed to the ~~c~~City ~~c~~Council. Application for parking waiver shall be filed with the ~~p~~Planning ~~d~~Department on a form provided for such purpose and shall include payment of a filing fee in an amount established by resolution of the ~~c~~City ~~c~~Council.

F. Schedule ~~O~~of Required Off-Street Parking: The minimum number of off-street parking spaces required for specific uses shall be determined according to the following schedule. Requirements for a specific use not listed shall be the same as those for the most similar use listed, or as required by the ~~p~~Planning ~~c~~Commission or the ~~c~~City ~~c~~Council.

Use	Minimum Spaces Required	
Commercial recreation:		
	Billiard parlors	1 per 2 billiard tables, plus 1 per each 2 employees on the ~~largest~~ shift with the most employees
	Bowling alleys	4 per bowling lane, plus 1 per each 2 employees on the ~~largest~~ shift with the most employees
	Gymnasiums, health studios, private golf clubs, swimming pools, tennis clubs, and similar uses	1 per 400 square feet of usable floor area, plus 1 per each employee on the ~~largest~~ shift with the most employees
-	~~Private golf clubs, swimming clubs, tennis clubs and similar uses~~	~~1 per 2 member families or individuals~~
	Skating rinks, dance halls, dance studios	1 per 3 persons of maximum capacity permitted by ~~fire regulations~~~~b~~Building ~~c~~Code
Commercial sales and services:		
	Automobile/~~T~~truck, ~~M~~mobile ~~H~~home, RV, ~~B~~boat or ~~T~~trailer sales and service	1 per each 800 square feet of sales area for first 4,000 square feet, plus 1 per additional 2,000 square feet
	Banks, credit unions	1 per 300 square feet of usable floor area
	Barbershops, beauty shops	2 per service chair
	Bus depot	1 per 150 square feet of waiting room space, plus requirements for auxiliary commercial uses as elsewhere listed

	Car wash/wash line	1 per each employee on the ~~largest~~ shift with the most employees, plus reservoir spaces equal to 5 times the capacity
	Casino, gaming	1 per every 200 square feet of usable floor area, plus 1 space per employee
	Childcare center	1 per every 10 students based on licensed occupancy, plus 1 per each employee on the ~~largest~~ shift with the most employees, plus 1 per each facility vehicle
	Drive-through facility (bank, fast food, retail)	Requirements for uses elsewhere specified herein, plus stacking capacity for 5 vehicles. Drive-through lanes must be independent of access lanes required for parking space backup area and for general and emergency vehicle circulation
	Furniture and appliance stores~~, household equipment and apparel repair services~~ (sales and repairs)	1 per 800 square feet of usable floor area
	Gas stations	1 per employee on ~~largest~~the shift with the most employees
	Gas ~~convenience~~ stations with convenience stores	1 per 2 gasoline pumps
	General Retail	1 per 300 square feet of usable floor area
	Greenhouse, garden center	1 per 500 square feet of sales area for first 2,000 square feet, plus 1 per additional 2,000 square feet
-	~~Leasable spaces~~	~~1 per 175 square feet of usable floor area~~
	Large machinery/equipment sales or rental	1 per 800 square feet of gross area
	Mortuaries, funeral homes	1 per 3 fixed chapel seats, or 1 per 50 square feet of assembly area, whichever is greater, plus 1 per employee, plus 1 per commercial funeral vehicle
-	~~Motor vehicle and machinery sales, auto repair shops~~	~~1 per 800 square feet of gross area~~
-	~~Open air business~~	~~1 per 500 square feet of sales area for first 2,000 square feet, plus 1 per additional 2,000 square feet~~
-	~~Planned shopping centers under unified control~~	~~Requirements for all uses elsewhere specified herein, plus 1 per 150 square feet of remaining usable floor area~~
	Restaurants, bars, cocktail lounges	1 per 100 square feet of usable floor area, plus 1 per each employee on the ~~largest~~ shift with the most employees
	Self-service laundries ~~and dry cleaners~~	1 per 4 machines
	Supermarkets, drugstores	1 per 300 square feet of usable floor area
-	~~Used car lots~~	~~1 per each 1,000 square feet of sales area for first 4,000 square feet, plus 1 per additional 2,000 square feet~~

Hotels, motels:		
	~~For a~~Auxiliary uses, i.e., restaurants	1 per 100 square feet of usable floor area of dining room, bar, plus 1 per each 2 employees on the ~~largest~~ shift with the most employees
	~~For c~~Commercial accessory use	1 per 400 square feet of usable floor area
	~~For o~~Overnight guests	1 per guestroom, or suite, plus 1 per each 2 employees on the ~~largest~~ shift with the most employees
	~~For places of public assembly~~Convention/~~M~~meeting rooms	1 per 6 fixed seats or 1 per 24 square feet of unfixed seating space
Institutional uses:		
	Hospitals	1 per 2 beds, plus 1 per each employee on the ~~largest~~ shift with the most employees, plus 1 per 225 square feet of auxiliary medical office floor area
	Sanatoriums, children's homes	1 per 5 beds, plus 1 per each employee on the ~~largest~~ shift with the most employees
Manufacturing and industrial uses		1 per 500 square feet of gross floor area, or 1 per each employee on the ~~largest~~ shift with the most employees, whichever is greater
Offices:		
	Medical and dental offices and clinics	1 per 225 square feet of usable floor area
	Offices; professional, governmental~~, banks, savings and loan agencies~~	1 per 300 square feet of usable floor area
Places of public assembly:		
	Auditoriums, exhibition halls, theaters, convention facilities, meeting rooms	1 per 5 fixed seats, or 1 per 40 square feet of unfixed seating space, plus 1 per each 2 employees on the largest shift
	Churches, for primary seating only	1 per 5 fixed seats, or 1 per 40 square feet of unfixed seating space, plus 1 per each 2 employees on the ~~largest~~ shift with the most employees
	Library, art gallery, or museum	1 per 1,000 square feet of usable floor area
	Movie theater	1 per 5 seats, plus 1 per employee on the largest shift
	Social clubs such as Elks, Moose, VFW, etc.	1 per 200 square feet of usable floor area
	Stadium, outdoor sports arenas	1 per 5 seats, plus 1 per each 2 employees on the ~~largest~~ shift with the most employees
Public and quasi-public uses:		
	Elementary schools	1 per 6 students

	Golf course, open to public	4 per hole, plus 1 per each employee on the ~~largest~~ shift with the most employees
	High schools	1 per 4 students, plus 1 per employee
	Junior colleges, colleges and universities	1 per 3 enrolled full time day students, plus 1 per employee
	Middle school/junior high school	1 per 10 students, plus 1 per employee
	Trade schools, business colleges	1 per 150 square feet of gross floor area
Residential uses:		
	Mobile home parks and lodges	See mobile home parks, mobile home, manufactured home subdivisions and recreational vehicle (RV) parks (chapter 5 of this title)
	Multiple-family dwellings (studio unit)	1 per dwelling unit
	Multiple-family dwellings (1 and 2 bedroom unit)	1 $^{1}/_{2}$ per dwelling unit, plus 1 per 3 units for guest parking
	Multiple-family dwellings (3 or more bedrooms)	2 per dwelling unit, plus 1 per 3 units for guest parking
	Rooming houses, fraternities, sororities, resident clubs, lodges	1 per sleeping room or 1 per bed, whichever is greater
	Senior citizen housing development	1 per unit, plus 1 per 5 units for guest parking
	Single-family residence, ~~townhome, condominium,~~ duplex, triplex, fourplex	2 per dwelling unit
	Townhouses, condominiums	2 per dwelling unit, plus 1 per 3 units for guest parking
Wholesaling and warehousing uses		1 per 1,700 square feet of usable floor area, or 1 per each employee on the largest shift, whichever is greater, plus 1 per company owned motor vehicle
All other uses not specifically listed		In accordance with the most recent applicable parking generation rates established by the Institute Of Transportation Engineers (ITE)

G. Parking Lot Design Standards: Design standards associated with secondary access, landscaping, lighting, and provision of snow storage and trash receptacle enclosure areas, are intended to apply to the development and construction of new parking lots and facilities~~, except for parking lots and facilities located within the GI (general industrial) zoning district~~.

1. Minimum Design Dimensions: The layout of every ~~off~~ off-street parking lot shall conform to the following minimum standards:

Angle Of Parking	One-Way Access Lane Width	Two-Way Access Lane Width	Parking Space Width	Parking Space Length
90°	24 feet	24 feet	9 feet	20 feet
75° - 89°	22 feet	24 feet	9 feet	20 feet
54° - 74°	18 feet	22 feet	9 feet	20 feet
30° - 53°	15 feet	20 feet	9 feet	20 feet
Parallel	12 feet	20 feet	8 feet	23 feet

Parking which is adjacent to a building face, or which is adjacent to improvements such as landscaping and sidewalks located directly adjacent to a building face shall provide access for fire equipment and personnel in conformance with the fire code adopted in title 6 of this code.

2. Measurement ~~O~~of Existing Unmarked Lots: In measuring unmarked parking lots in use or operation on the effective date hereof, each parking space shall be considered to require a minimum of three hundred (300) square feet, inclusive of access lanes. For single-family, duplex, triplex and fourplex residential land uses, the square footage of each required parking space shall be not less than one hundred eighty (180) square feet (9 feet x 20 feet).

3. Secondary Access ~~O~~or Interior Turnarounds: Secondary access or interior turnarounds shall be provided for parking lots of ten (10) or more parking spaces, interior turnarounds shall also be designed in accordance with the currently adopted fire code set forth in title 6 of this code.

4. Driveways and parking areas shall be designed to include paved turnaround areas to prevent ~~,~~ ~~when necessary, such that~~ the use of striped parking stalls ~~are not depended upon~~ as turning areas and drive aisles ~~are not utilized~~ for backing movements.

5. Landscaping: Five percent (5%) of any off street parking lot of twenty (20) or more parking spaces shall be reserved for landscaping improvements, except for parking lots and facilities not directly associated with or serving adjacent commercial or industrial development. Where landscaping is required under other provisions of the City Code, landscaped areas in parking lots shall be considered in calculating landscaping requirements.~~Landscape areas in parking lots shall be included in the overall calculations for required landscaping under other sections of code.~~ Landscape areas should be distributed throughout the project site and should contribute to the screening and softening of the off-~~-~~street parking lot. Landscape materials may include, but are not limited to, screen planting, lawn areas, trees, shrubs, fences and walls. Drought tolerant, low maintenance species in conjunction with decorative "hard surface" materials, such as, but not limited to, volcanic rock, gravel or stone are encouraged and may be utilized to fulfill landscape surface requirements.

   a. For off-~~-~~street parking lots of twenty (20) or more parking spaces, provision of the required five percent (5%) of landscaping may be accompanied by a five percent (5%) reduction in the amount of required parking spaces.

b. Parking spaces which abut and overhang a sidewalk exceeding seven feet (7') in width or a landscape planter area at least six feet (6') in width may reduce space lengths from the required twenty feet (20') to eighteen feet (18').

c. Selection and installation of plant materials shall be done with the intent to screen and soften rather than conceal in order to maintain visibility for facility security. Preference shall be given to the use of low lying ground cover and shrubs and the use of trees with elevated canopies over the selection and use of densely compacted trees and shrubs.

d. Planter areas should be distributed throughout the off street parking lot and are encouraged to be used as a traffic control device to promote safe orderly vehicular and pedestrian circulation within the off street parking lot.

e. It shall be the responsibility of the owner or developer to carry out this program and to provide maintenance and care as required to obtain the effect intended by the original plan.

f. Landscaping requirements contained in this chapter are not intended to supplement or compound landscaping provisions contained in other sections of this title.

g. The ~~city~~ City shall not be responsible for maintenance, repair or replacement of any landscaping or related materials placed or constructed within the public right-of-way pursuant to this Section. No landscaping ~~will be allowed to~~shall be constructed within the public right-of-way without ~~the approval of~~ a revocable permit issued by~~from~~ the City following any required approval by ~~Council. In order to obtain any such revocable permit, the application must first appear before~~ the City Council with the exception of public rights-of-ways in which the City Council has granted administrative approval authority. ~~The City Council may authorize issuance of the~~ R~~r~~evocable permits may be granted ~~-~~with or without conditions. ~~for consideration. If the City Council grants any such revocable permit, it may be granted subject to any terms or conditions required by the City Council which the City Council deems to be in the best interest of the City.~~

h. No obstructions to visibility at any street intersection shall be located within a sight triangle determined in accordance with American Association ~~O~~of State Highway And Transportation Officials (AASHTO) publication of "A Policy On Geometric Design Of Highways And Streets", including any amendments thereto.

~~5~~6. Snow Storage Areas: Snow storage areas shall be provided for parking lots of twenty (20) or more parking spaces. Landscape areas may be utilized to fulfill this requirement.

~~6~~7. Lighting: Off-street parking areas shall satisfy the following lighting requirements: Eighty percent (80%) of the parking lot shall have a minimum illumination level of twenty five hundredths (0.25) of a foot-candle. Levels of illumination should be distributed throughout the parking lot.

~~7~~8. Trash Receptacle/Dumpster Areas: Trash receptacle/dumpster areas, enclosed by a screen wall, shall be provided for parking lots directly associated with industrial, commercial or multiple-family residential development and which contain twenty (20) or more parking spaces.

~~8~~9. Parking Lot Access:

a. Access ~~F~~from Alley: An alley may be used for principal access to any parking lot, and for direct access to parking spaces; provided, however, that every such alley shall be dedicated full width to the public, fully improved with an ~~all-weather~~all-weather, dust free surface, and properly drained to prevent impoundment of surface water.

b. Access ~~F~~from Street: No entrance or exit to a parking lot shall be located closer than fifteen feet (15') to any abutting residential district without prior approval from the ~~City's Civil Engineer~~City.

~~9~~10. Surfacing, Curb ~~A~~and Drainage: Every parking lot and parking access shall be:

a. Properly graded to prevent impoundment of surface water;

b. Surfaced with asphaltic concrete or cement concrete at least two inches (2") thick;

c. Parking spaces shall be clearly striped;

d. Continuous six inch (6") concrete curbs or a comparable alternative shall be installed around the perimeter of the paved parking area and as protection for planted areas, islands and walls within the parking lot area. Noncontinuous curbing may be allowed in circumstances where perimeter planted areas are part of the approved storm runoff and drainage plan.

~~10~~11. Required Screen Walls: Where the interior side lot line or rear lot line of a nonresidential parking lot abuts a residential district and is not separated therefrom by an alley, a solid, continuous screen wall not less than five feet (5'), nor more than six feet (6') in height above grade, shall be installed and maintained abutting the residential district line; provided, however, that such wall shall extend no closer to the street line than the minimum required setback for residential properties in the same block.

~~11~~12. Plans Required ~~F~~for Off-Street Parking ~~A~~and Loading Spaces: Site plans are required for off-street parking and loading and shall show how the required parking and loading spaces are to be located and arranged on the site. In addition, such plans shall demonstrate safe and efficient internal circulation and traffic flow and show how drives and parking lots are to be graded and drained, as well as the location and design of all screen walls, landscaping and lighting. Such plans must be reviewed and approved by the ~~p~~Planning and ~~e~~Engineering departments.

H. Park ~~A~~and Ride Facilities: Park and ride facilities shall satisfy the design standards set forth in subsection G of this section, unless specifically discussed in this subsection H, as follows:

1. Location: Park and ride facilities shall be located in either ~~l~~Light ~~i~~Industrial (LI) or ~~g~~General ~~i~~Industrial (GI) zoning districts and shall be located adjacent to roadways classified as commercial/industrial collector, arterial, or principal arterial in the ~~c~~City of Elko ~~m~~Master ~~p~~Plan.

2. Stand Alone Use: A park and ride facility shall be a ~~stand-alone~~stand-alone use located on a single parcel that does not contain any other use.

3. Area Requirements: Park and ride facilities shall be located on lots with a minimum lot size of three (3) acres and not more than fifteen (15) acres.

4. Lighting: Park and ride facilities shall satisfy the following lighting requirements: Fifty percent (50%) of the parking lot shall have a minimum illumination level of twenty-~~-~~five hundredths (0.25) of a foot-candle. Levels of illumination must be distributed throughout the parking lot.

5. Trash Receptacle/Dumpster Areas: Every park and ride facility must contain at least one area, enclosed by a screen wall, for the placement of trash receptacles and/or dumpsters. There must be no less than one trash receptacle for every acre of a park and ride facility. The trash receptacle areas shall be evenly placed through the park and ride facility. In addition to the foregoing, trash receptacles shall be located at each bus loading zone and at least one enclosed dumpster must be placed in a location that can be accessed from a paved surface.

6. Traffic Study: All developers of new park and ride facilities shall provide calculations in accordance with the Institute ~~O~~of Traffic Engineers (ITE) "Traffic Generation Manual" for the anticipated traffic load created by the park and ride facility. In the event the city determines that a proposed park and ride facility is likely to create a traffic load exceeding two thousand (2,000) vehicles per day (vpd), or if the ~~city~~ City determines that the resulting increase in traffic from a proposed park and ride facility will likely decrease the level of service (LOS) of a roadway based on the current traffic counts on that roadway to an LOS of D or worse as determined in accordance with the "Highway Capacity Manual" and the AASHTO publication entitled "Geometric Design Of Highways And Streets", the developer of the proposed park and ride facility shall complete and submit to the city a traffic study prior to submitting plans for civil improvements. The ~~c~~City may take the traffic study into consideration in approving or rejecting any civil improvement plans related to the proposed development.

7. Surfacing ~~A~~and Drainage: Every new park and ride facility shall:

   a. Be properly graded to prevent impoundment of surface water;

   b. Be surfaced with compacted type II road base with a minimum thickness of six inches (6");

   c. Contain parking spaces which are clearly delineated either with striping on paved surfaces or with the use of parking bumpers on unmarked areas;

   d. Contain asphaltic surfacing with a minimum thickness of two inches (2") over the route leading from each entrance into the parking lot for a minimum of forty feet (40'); and

   e. Contain asphaltic surfacing with a minimum thickness of two inches (2") over the route intended for the loading and unloading of commuters on and off buses (if applicable).

I. Exceptions for Certain Multi-Family Residential Developments:

1. In the case of a multi-family residential development which contains five (5) or more units proposed to be occupied by elderly persons or individuals with disabilities, the ~~p~~Planning ~~c~~Commission may grant a twenty five percent (25%) reduction in the required off-~~-~~street parking.

J. Central Business District Regulations:

~~2~~1. All principal permitted uses ~~occupying basement floor area, ground level or first story floor area or second story floor area, or any combination thereof, and~~ which are situated on property located within four hundred feet (400') of the Central Business District (CBD) public parking corridor, are exempted from providing required off street parking.

a. ~~Residential uses shall provide required off street parking in accordance with the provisions of this chapter.~~ Residential uses in a mixed-use building with no more than four (4) residential units located~~, which are~~ within 200 feet of the Downtown Parking Corridor are exempt~~ed~~ from ~~providing~~the requirement to provide ~~required~~ off-street parking.~~; provided that each property have no more than four (4) residential units.~~ All other residential uses shall provide the required off-street parking in accordance with the provisions of this ~~c~~Chapter.

~~3~~2. Overnight parking in conjunction with occupancy of recreational vehicles within the Central Business District (CBD) public parking corridor shall be prohibited.

~~4~~3. Parking of all unlicensed or unregistered vehicles within the Central Business District (CBD) public parking corridor shall be prohibited.

~~5~~4. Parking of any type of trailer that is disconnected from the pulling vehicle within the Central Business District (CBD) public parking corridor shall be prohibited unless otherwise authorized by special event or other permit.

~~6~~5. Within the Central Business District (CBD) public parking corridor, parking or storage of any properly licensed vehicle shall be temporary and limited to seventy-~~-~~two (72) hours, unless an exemption is authorized pursuant to a special event permit or other permit issued in advance by the City.

~~7~~6. It shall be unlawful for any person, including a business, to utilize the Central Business District (CBD) public parking corridor for the purposes of storing or parking a vehicle while shuttling employees or car-pooling to or from places of employment.

~~8~~7. It shall be unlawful to store, park, or idle any semis with trailers within the Central Business District (CBD) public parking corridor.

~~9~~8. Police officers are authorized to remove vehicles parked in violation of this Code from the Central Business District (CBD) subject to the provisions of this section.

~~10~~9. Whenever any police officer determines that a vehicle is parked in violation of this Code, such officer may cause to be moved or remove such vehicle in any manner provided by law, or require the driver or person in charge of the vehicle to move the vehicle to a location or in such a manner as to render it no longer in violation.

~~11~~10. Any police officer may cause to be removed any vehicle or part of a vehicle parked in violation of this Code, or may cause such vehicle to be removed, to the nearest garage or other location for storage if:

a. The vehicle has been involved in an accident and is so disabled that its normal operation is impossible or impractical and/or the person or persons in charge of the vehicle are incapacitated by reason of physical injury or other reason to such an extent as to be unable to provide for its removal or custody, or are not in the immediate vicinity of the disabled vehicle; or

b. The person driving or in actual physical control of the vehicle is arrested for any alleged offense providing that the officer is required by law to take the person arrested before a proper magistrate without unnecessary delay.

~~12~~11. In any prosecution charging a violation of any provision of this subsection I, proof that the particular vehicle described in the complaint was found in violation thereof, together with proof that the defendant named in the complaint or citation was at the time of such complaint or citation the registered owner, owner or party in the care or custody of such vehicle, shall constitute in evidence a prima facie presumption that the registered owner, owner or party in the care or custody of such vehicle was the person who parked or placed such vehicle at the point where, and for the time during which, such violation occurred.

~~13~~12. To the extent there should exist any actual conflict with other traffic laws of the City, the provisions of this subsection ~~I~~J shall be controlling concerning the parking of vehicles within the Central Business District (CBD) public parking corridor. ~~(Ord. 801, 2-24-2016)~~

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Short-term Rentals

STR ordinance challenged on grounds it was irregularly enacted

Citation: *Williams v. City of Asbury Park, 2021 WL 961125 (N.J. Super. Ct. App. Div. 2021)*

In 2018, the Asbury Park (New Jersey) City Council (APCC) adopted a short-term-rental ordinance (STR ordinance), which the voters approved in the November 2017 election.

In 2019, the APCC adopted an amended STR ordinance, after revising the initial STR ordinance. An Asbury Park resident, the plaintiff, challenged the ordinance as irregularly enacted.

A CLOSER LOOK

The STR ordinance permitted short-term rentals of 30 or fewer consecutive days, up to a cumulative total period of not to exceed 180 days in a calendar year. It also classified the types of properties that could be rented out on a short-term basis and excluded certain properties, such as foster homes, adult family care homes, assisted living facilities, and "individually or collectively owned single-family residential dwelling units." The ordinance also required permits and certificates of occupancy.

The plaintiff claimed the ordinance created a new use that conflicted with the city's existing zoning ordinances and implicated the state's Municipal Land Use Law (MLUL). He also claimed the ordinance impacted him and others through frequent noise pollution and led to a shortage of on-street parking taken up by short-term rental tenants.

The lower court dismissed the case against the APCC for failure to state a claim on the grounds of a presumption of validity for adopted ordinances. The plaintiff appealed.

DECISION: Affirmed.

"[T]he intent of the [APCC] [wa]s in sync with the goals and purposes of the police power," the STR ordinance "provide[d] a roadmap for which residential properties c[ould] offer short-term rentals and d[id] not rezone or change permitted uses of land," and the "presumption of validity weigh[ed] heavily in the municipality's favor."

"[A]ll municipal ordinances [were] entitled to a presumption of validity," the court noted. This presumption could be overcome with a showing that the ordinance " 'in whole or in application to any particular property,' [wa]s 'arbitrary, capricious or unreasonable.' "

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Here, the plaintiff didn't argue that the STR ordinance was arbitrary, capricious, or unreasonable. Instead, the argument was that the STR ordinance constituted a zoning ordinance under the MLUL. "The crux of his argument is that if the ordinance is a zoning ordinance subject to the MLUL, then the ordinance was improperly adopted by the city and is therefore void. We are not persuaded," the court ruled.

Here, the plaintiff didn't argue that the STR ordinance was arbitrary, capricious, or unreasonable. Instead, the argument was that the STR ordinance constituted a zoning ordinance under the MLUL.

The court explained it was being asked to address "whether regulating short-term rentals should be considered a land-use restriction, or a restriction on the form and ownership of property." "If the regulation is a land-use restriction, it is evaluated under the MLUL. If the regulation is a restriction on form and ownership that does not implicate zoning, it is an exercise of the police power," the court noted. "Therefore, to determine the validity of the ordinance, we examine whether the ordinance is properly evaluated as a zoning ordinance, under the MLUL or an exercise of the municipality's police power," it added.

State law defined "zoning." For instance, a governing body could adopt or amend a zoning ordinance concerning the "nature and extent of the uses of land and of buildings and structures." The ordinance had to be adopted after the planning board "adopted the land use plan element and the housing plan element of a master plan." Any zoning ordinance or amendment had to "be substantially consistent with the land use plan element and the housing plan element of the master plan or designed to effectuate such plan elements."

In addition, the zoning ordinance had to reasonably consider "the character of each district and its peculiar suitability for particular uses and to encourage the most appropriate use of land." And, regulations in a zoning ordinance had to "be uniform throughout each district for each class or kind of buildings or other structure or uses of land, including planned unit development, planned unit residential development and cluster development, but the regulations in one district may differ from those in other districts."

Also, case law had clarified that under state law "many ordinances, including health ordinances, touch[ed] on the use of land, but [we]re not within the planning and zoning concerns of the [MLUL]; such ordinances [we]re enacted pursuant to the general police power and appl[ied] to everyone." Here, the lower court had found the city didn't have to adopt the STR ordinance through the MLUL or zoning ordinance; instead, it could adopt the STR ordinance under the police-power ordinance.

The plaintiff did not allege "any unreasonable, arbitrary, or capricious limitation that might suggest an unconstitutional abuse of the municipality's police power."

THE BOTTOM LINE

The APCC determined that "short-term rental of limited residential dwelling units within the [c]ity benefit[ted] the local community by affording owners of such units the ability to garner additional income . . . as well as providing travelers with an alternative option for accommodations in the [c]ity, thereby promoting the local travel and tourism industry, and contributing to the economic vitality of the [c]ity." It was within its right to do so through police power.

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Property owners seek injunction after Jersey City passes ordinance banning subletting long-term lease properties

Citation: *Gennadiy Nekrilov, Eugene Nekrilov, Kwan Ho Tang, Jayu Jen, And Alen Suen Plaintiffs, v. City Of Jersey City Defendant., 2021 WL 1138360 (D.N.J. 2021)*

Property owners in Jersey City, New Jersey operated short-term residences by 1) buying properties and offering short-term rentals; or 2) entering into long-term leases with other property owners and, with the owners' permission, subletting those leases as short-term rentals, both through Airbnb.

The plaintiffs in this case alleged they chose Jersey City due to its ordinance permitting short-term rentals and its effort to advertise the short-term-rental friendliness of the city. But, they claimed, after Jersey City passes two ordinances, they were unable to make a profit on what they owned and leased.

THE RENTAL ORDINANCES

In 2015, Jersey City legalized short-term rentals, subject to certain conditions, but then in 2019, it places many significant restrictions on those rentals. The original ordinance affirmatively allowed short-term rentals as an accessory use to a permitted principal residential use in all zoning districts and redevelopment plan areas where residential uses were permitted. The person offering the unit for short-term rental had to be the owner or lessee for the use to be authorized.

The mayor went on a public relations campaign to promote the city as being a potential leader on home-rental platforms in the Tri-State area. He also touted it as being a way for middle-class homeowners to make some extra money.

But, the next ordinance wasn't as favorable to short-term rentals. Restrictions included:

- barring short-term rentals in non-owner-occupied dwellings in excess of a total of 60 nights per year; and
- not permitting short-term rentals as subleases unless certain exceptions applied.

The plaintiffs filed suit alleging the city violated their constitutional rights. They asked the court to grant their request for a preliminary injunction. The city asked the court to dismiss for failure to state a claim.

DECISION: Request for dismissal granted; request for preliminary injunction denied.

The city had the right to enact and enforce the subsequent short-term rental ordinance.

While the plaintiffs' reliance on the first ordinance was "understandable," it wasn't reasonable for them to think that subsequent amendments would not occur within a regulated field.

"[T]he municipality may, for the general welfare, adjust and revise its prior regulations in light of experience. Jersey City made clear in [the first] [o]rdinance . . . that short-term rentals would be tolerated to the extent they did not change neighborhood character or constitute informal hotels; [the second ordinance] puts teeth in those general statements of purpose in a way that is consistent with the [c]ity's statements of purpose," the court explained.

While the plaintiffs' reliance on the first ordinance was "understandable," it wasn't reasonable for them to think that subsequent amendments would not occur within a regulated field.

And, statements the mayor had made about home-rental platforms being the "future" and that the city would be a "friend" to change weren't "specific enough to give rise to a reasonable expectation" that the first ordinance would not be revised "They do not constitute 'explicit assurances' that short-term rentals would always be permitted in the [c]ity, on the same terms, into the indefinite future," the court added.

A CLOSER LOOK

The plaintiffs case involved claims for violations of the Constitution's Takings and Contracts clauses. Also, a preliminary injunction was described by the court as being an "extraordinary remedy" that would only be granted under limited circumstances. Here, the plaintiffs couldn't show:

- a reasonable likelihood of success on the merits of their claims;
- that they would be irreparably harmed if the relief they sought was not granted;
- other interested persons would be harmed by the denial of the injunction; and
- the public interest supported their position.

The court found these plaintiffs could sell their homes if they didn't want to live in them, rent them out with long-term tenants, or if they were "trapped in a long-term lease, they could presumably sublet the premises at similar prices. The[s]e allegations d[o] not suffice to support an inference that any loss will be 'drastic.' "

Practically Speaking:

The plaintiffs' allegations didn't "take into account alternative means of exploiting the properties, such as sale of the owned properties, subleases of the lease properties, and alternative business or personal uses of the properties."

RLUIPA

Church claims town impermissibly restricted religious assembly

Citation: *Word Seed Church v. Village of Hazel Crest, 2021 WL 1379497 (N.D. Ill. 2021)*

The Word Seed Church (WSC), a seven-member congregation in the south suburbs of Chicago, worshipped at its former pastor's home for several years. In 2012, WSC bought property in south suburban Markham, Illinois, which it was forced to sell in 2017 as a result of business redevelopment in the City of Markham.

After that sale, WSC resumed meeting and worshipping at the pastor's home. After that pastor left the congregation, WSC began meeting at the home of its current pastor while it resumed the search for a permanent facility.

WSC wanted to buy property in Hazel Crest or one of the surrounding south suburbs of Chicago.

Then, WSC and the Civil Liberties for Urban Believers (CLUB), an unincorporated association of churches that existed to promote the religious liberty of urban churches and its believers, filed suit against Hazel Crest seeking an injunction and alleging it had unlawfully restricted religious assembly.

DECISION: Request for preliminary injunction denied.

Based on the record, WSC and CLUB didn't have a likelihood of success on the merits of their claims.

RLUIPA provides "broad" religious liberty protections. WSC and CLUB claimed Hazel Crest impermissibly restricted religious assembly. In particular because the zoning ordinance:

- violated RLUIPA's bar of treating religious assembly or institution and similar secular land uses on unequal terms;
- violated the Equal Protection Clause by treating secular assembly more favorably than religious assembly;
- violated RLUIPA's prohibition on imposing unreasonable limitations religious exercise;
- violated RLUIPA's prohibition on imposing regulations that totally exclude religious assemblies; and
- imposed unconstitutionally vague standards granting the village impermissible discretion.

WSC and Club contended they had a strong likelihood of success on the merits of their claims, too, so the request for a preliminary injunction should be granted. The court disagreed.

Equal terms—RLUIPA stated that the government could not "impose or implement a land use regulation in a manner that treat[ed] a religious assembly or institution on less than equal terms with a nonreligious assembly or institution."

Here, WSC and CLUB contended the zoning ordinance placed religious land use "on less than equal terms with nonreligious assembly uses." To succeed on this "facial challenge," they had to show there weren't any circumstances under which the zoning ordinance would be valid.

Under precedent the Seventh U.S. Circuit Court of Appeals had established, a regulation violated RLUIPA's equal terms provision " 'only if it treat[ed] religious assemblies or institutions less well than secular assemblies or institutions that are similarly situated as to' the accepted zoning criteria." Therefore, to succeed, WSC and CLUB had to "demonstrate that comparable secular land uses [we]re not treated the same from the standpoint of an accepted zoning criterion, such as 'commercial district,' or 'residential district,' or 'industrial district.' "

In that case, *River of Life v. Village of Hazen Crest*, the court had found a zoning ordinance amendment "was applying conventional criteria for commercial zoning in banning noncommercial land uses from a part of the village suitable for a commercial district because of proximity to the train station."

RLUIPA provides "broad" religious liberty protections. WSC and CLUB claimed Hazel Crest impermissibly restricted religious assembly.

WSC and CLUB had "a nearly identical claim" to the claim the Seventh Circuit had rejected in that case. In their view, the zoning ordinance allowed "assembly halls outside the business district as of right, while religious uses [we]re either excluded or required to obtain a special use permit results in facially unconstitutionally disparate treatment." But, applying the rule established in River of Life, the court had to "analyze the zoning criteria, to determine whether similarly situated secular and religious entities [we]re treated the same."

All WSC and CLUB provided was a list of "purportedly similar secular assembly uses that are permitted as of right outside the business districts. This is insufficient," the court ruled. "To demonstrate a high likelihood of success on the merits, [they had to] offer evidence or argument comparing the secular land uses to religious land use, such that the [c]ourt might conclude there is unequal treatment in the zoning designations. Without this additional evidence, the [c]ourt c[ould not] conclude that [they] ha[d] a high likelihood of demonstrating that the decisions on how to treat religious land use outside the business district were not based on neutral, land-use reasons."

Fourteenth Amendment equal protection clause—WSC and CLUB alleged Hazel Crest didn't treat similarly situated assembly uses equally. The key question was what level of scrutiny applied to the claim.

"Government actions that classif[ied] by race, alien-

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age, or national origin '[we]re subjected to strict scrutiny and w[ould] be sustained only if they [we]re suitably tailored to serve a compelling state interest.' " "Government actions that interfere[d] with fundamental rights, like freedom of speech or religion, [we]re subjected to heightened scrutiny," the court added. And, when an "action [did] not implicate a suspect class or a fundamental right, [it] [wa]s subject to a rational basis test."

Here, the zoning ordinance didn't classify property use on the basis of race, alienage, or national origin, and the record didn't suggest that it had facially discriminated on the basis of religion. So, for purposes of the injunction, the court applied "rational basis scrutiny to th[is] [e]qual [p]rotection claim." To succeed, WSC and CLUB had to show the government action didn't "relate to legitimate governmental objectives."

But, this zoning ordinance was tied to the village's "legitimate interest in developing [its] business districts."

Unreasonable limits under RLUIPA—This provision of the federal law barred "land use regulation that . . . unreasonably limit[ed] religious assemblies, institutions, or structures within a jurisdiction." WSC and CLUB asserted that that Hazel Crest's special use permit process "unreasonably limits religious assemblies," and that the zoning ordinance imposed "unreasonable limits because it 'exclude[s] churches from all zoning districts other than three residential districts which are already substantially developed as residential units.' "

WSC and CLUB took issue with the time and expense involved with applying for a special use permit. The court rejected this argument. The time and expense was no greater than what non-religious organizations experienced through the special use permitting process.

The case cited is River of Life Kingdom Ministries v. Village of Hazel Crest, Ill., 611 F.3d 367 (7th Cir. 2010).

Abstention

Zoning dispute arises after city claims business not adhering to permissible use of the property

Citation: *SI Resources Inc. v. City of Manchester, Missouri, 2021 WL 1238213 (E.D. Mo. 2021)*

In 2019, Doctor John's Inc. (Dr. John's) opened a store in Manchester, Missouri, which was located in a C-1 Commercial zoning district. The permitted retail uses for a business located in such a zoning district allowed the operation of a "variety and department store not to exceed 10,000 square feet," and the sale of "apparel and accessories." Certain "Sexually Oriented Retail Uses" were also permitted in the C-1 district.

The city of Manchester claimed Dr. John's was using the premises in a way that wasn't permitted in the C-1 district or by its occupancy permit. The city then launched a lawsuit to enforce its zoning laws.

A state court entered a Consent Temporary Restraining Order (TRO) barring Dr. John's, "its agents, servants, employees, attorneys, all persons in active concert or participation with it, and all persons who have or shall receive actual notice of [the TRO]" from selling "novelties . . . or other merchandise that does not qualify as 'apparel and accessories' " at the premises.

After the TRO was granted the case continued, with the city seeking a permanent injunction. Dr. John's filed a counterclaim, too, alleging that the city's zoning regulations were unconstitutionally vague and ambiguous and that the city's actions had violated its due process rights as well as its rights under the First and Fourteenth Amendments. Dr. John's also filed a request for judgment without a trial on the issue of whether the zoning regulations were unconstitutionally vague and constituted impermissible content-based regulation.

The court held a hearing and while this was pending, Dr. John's filed a new application for a business license to use the premises as a "variety and department store not to exceed 10,000 square feet."

The court found Dr. John's use of the premises was not compliant with either the "apparel and accessories" use, or with the "variety and department store" use allowed by the applicable zoning regulations.

Then, the court issued an order and judgment in the city's favor, granting the permanent injunction. The court found that Dr. John's had violated the city's zoning regulations by engaging in the sale of items that were not allowed under the applicable zoning ordinance. It also ruled the zoning regulations weren't vague and ambiguous and didn't violate Dr. John's due process rights or rights under the First and Fourteenth Amendments.

After the injunction was granted, Dr. John's violated suit in federal court against the city. Then, SI Resources, "DBA Original Doctor John's Lingerie and Novelty Boutique," filed a commercial application for a "Re-Occupancy Permit" with the city.

The application was for the same premises at issue in the state case, and SI Resources, whose president owned Dr. John's, sought to operate a "variety and department store." The city asked to enforce the state court injunction against SI Resources and to dismiss the case.

DECISION: Request for dismissal granted.

Abstention was appropriate.

The doctrine of abstention was "an extraordinary and narrow exception to the duty of a [lower court] to adjudicate a controversy properly before it." "Generally, a federal district court must exercise its jurisdiction over a claim unless there are 'exceptional circumstances' for not doing so," the court added.

Generally, there were three questions to ask:

- Did the underlying state proceeding fall within an "exceptional circumstance" where abstention was appropriate?
- Did the state proceeding satisfy what were known as the "*Middlesex*" factors?

- Even if the underlying state proceeding satisfied the first two inquiries, was abstention nevertheless inappropriate because an exception to abstention applied?

Here, the "state proceeding was the result of the [c]ity's attempt to sanction Dr. John's for its violations of the [c]ity's zoning regulations," the court wrote. And, "federal courts ha[d] routinely held that state proceedings dealing with land use and zoning issues [we]re emblematic of the sort of state proceedings that [we]re appropriately subject to . . . abstention."

The analysis didn't end there, however, The *Middlesex* factors, which had been established by the Supreme Court, indicated that a federal court had to consider "whether there [wa]s an ongoing state proceeding that is judicial in nature [that] implicate[d] an important state interest and provide[d] an adequate opportunity to raise federal challenges."

"[F]ederal courts ha[d] routinely held that state proceedings dealing with land use and zoning issues [we]re emblematic of the sort of state proceedings that [we]re appropriately subject to . . . abstention."

Here, the state action was ongoing as the city was still trying to enforce its zoning laws against Dr. John's, and against SI Resources. That state action "directly affect[ed] an 'important state interest.' " "The Eighth Circuit has stated that 'it is well-established that for abstention purposes, the enforcement and application of zoning ordinances and land use regulations is an important state and local interest . . . [and that] land use planning is a sensitive area of social policy which federal courts typically ought not enter,' " the court wrote.

Also, the third *Middlesex* factor was met. "The state court action unquestionably provide[d] 'an adequate opportunity' to raise federal challenges, particularly when one considers that Dr. John's previously raised constitutional challenges in that proceeding. Therefore, there [was] no question that the state case provide[d] SI Resources an adequate opportunity to raise its federal claims, and thus, the third *Middlesex* factor [wa]s satisfied."

THE BOTTOM LINE

Nothing in the record led the court to believe that "the enforcement proceeding in the state court was motivated by bad faith or harassment on the part of any of the state actors involved." Therefore, abstention was proper.

Taking

Plaintiffs claim they were subjected to unlawful taking of their property

Citation: *Murphy v. City of Galveston, 2021 WL 1220104 (S.D. Tex. 2021)*

Two individuals and a development company filed suit against the city of Galveston, Texas, claiming it unlawfully took their property without just compensation in violation of the Texas and United States Constitutions.

The case started out in state court but was transferred to federal court. Then, the case was sent back to state court before being bounced back to a federal court.

The city alleged the court lacked subject matter jurisdiction over the case and requested judgment without a trial.

DECISION: Judgment without a trial granted.

The court lacked subject matter jurisdiction.

Under the Takings Clause of the Fifth Amendment, no private property could be taken for public use without just compensation. But, "[b]efore addressing the merits of a takings claim, a federal court must determine whether the claim is ripe for judicial review," the court explained.

If a claim wasn't "ripe," it had to be dismissed for lack of subject matter jurisdiction. A two-part test applied to figure out if a claim was ripe or not: had "the relevant governmental unit . . . reached a final decision as to what will be done with the property" and had "the property owner . . . sought compensation for the alleged taking through whatever adequate procedures the state provide[d]."

"Governmental conduct [wa]s final if it demonstrate[d] 'a final, definitive position regarding how [the government] w[ould] apply the regulations at issue to the particular land in question.' " Also, the finality requirement was "concerned with whether the initial decisionmaker ha[d] arrived at a definitive position on the issue that inflict[ed] an actual, concrete injury."

Here, the plaintiffs didn't show that the city had "arrived at a final, definitive position with respect to [a] [special use permit (SUP)] application and the revocation of the [p]roperty's protected grandfather status," the court explained. Since the plaintiffs couldn't show finality, the claims weren't ripe for judicial review and had to be dismissed.

A CLOSER LOOK

The city claimed the plaintiffs had never gotten final, conclusive decision from the appropriate regulatory authority because they could have corrected problems city officials identified and reapplied for the SUP. The court agreed.

"The record is crystal clear. The [c]ity never reached an official and final decision as to whether it would issue

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an SUP to [the] [p]laintiffs," the court noted. "At the time [the] [c]ity [c]ouncil initially voted down the SUP application, [c]ity officials pointed out numerous issues they had with the [p]roperty that [the p]laintiffs could have resolved before reapplying for the SUP," it added.

For instance, a city council hearing transcript showed that one of the individuals had been encouraged to bring the property up to code, get an engineer's letter, and then reapply for the SUP. Also, several members of the city council said they were denying the SUP over safety concerns building and the health of its future occupants, "suggesting that an SUP would be granted were it not for those concerns."

A city council hearing transcript showed that one of the individuals had been encouraged to bring the property up to code, get an engineer's letter, and then reapply for the SUP.

And, after the city rejected the SUP application, rather than bringing the property into compliance with the applicable code and then resubmitting a SUP application reflecting completion of the repairs, the plaintiffs filed suit.

Practically speaking:

The members of the city council encouraged the plaintiffs to reapply for the SUP "once they addressed safety concerns and obtained the engineer's letter certifying the structural integrity of the buildings."

THE BOTTOM LINE

"A Fifth Amendment takings claim [wa]s not ripe until the relevant governmental unit ha[d] reached a final decision. [The] [p]laintiffs never obtained a final decision regarding the SUP application, and they ha[d] not shown that re-applying for the SUP would have been futile."

CASE NOTE

The plaintiffs argued that re-filing for a SUP would have been futile. But, to succeed at applying a futility exception to a takings claim, they had to show that they met the narrow circumstances under which that exception could be applied. "While the ripeness doctrine does not require litigants to engage in futile gestures such as to jump through a series of hoops, the last of which is certain to find obstructed by a brick wall, the presence of that brick wall must be all but certain for the futility exception to apply. There must be evidence that the relevant government body has no discretion to grant an exemption, or that it has dug in its heels and made clear that all such applications will be denied," the court explained.

Here, the plaintiffs complained the city "insist[ed] on diminished occupancy—destroying units to provide parking or 'green space'—as the price for obtaining an SUP." But, the city took "issue with [their] characterization of the parking state of affairs, noting that [it] never required [one of the individuals] to obtain additional parking to obtain an SUP," the court explained.

City officials had "originally recommended that [the] request for an SUP be approved on the condition that he 'provide 16 off-street parking spaces . . . *or* seek a variance from the [Board].' " If the plaintiffs wanted "to rely on the parking issue to prove their federal takings claim, they must first show that [the individual] requested a variance that the [c]ity denied," the court stated. But such a request was not ever made.

All in all, the plaintiffs "gave up too soon," the court concluded. While the city rejected their SUP application, "there was a real possibility that a subsequent SUP application would have been successful if [the individual] had applied for a variance with the Board concerning the parking issue, repaired the Property so that it satisfied the code requirements, and provided an engineer's letter." Since they didn't "actively seek a final decision from the [c]ity" their claim was doomed.

Zoning News From Around The Nation

Connecticut

Land use reform may be on New Haven's horizon

At a recent public budget hearing, New Haven City Plan Director Aïcha Woods said that it's time for the city to examine whether its zoning ordinances, which had been developed in the 1960s, adequately address issues of affordable housing, climate and environmental justice, and equity, the *New Haven Independent* reported recently.

Woods said it's time for the city to rethink its land use and comprehensive plan and that the next couple of years will be devoted to address these issues, the news outlet noted.

In the past few years, New Haven's Plan Department, its Plan Commission, city aldermen, the mayor, and the Livable City Initiative (LCI), "a neighborhood-focused agency with a mission to enhance the experience of the individuals who live and work in the City of New Haven," have met to discuss the need for updated land-use laws to address factors like walkability, affordability, environmentally sustainability, and mixed-use development.

For more information on the LCI, visit newhavenct.gov/gov/depts/lci/default.htm.

Source: *newhavenindependent.org*

Illinois

Agronomic research facility wants to set up shot near University of Illinois Willard Airport

Champaign County's zoning administrator recently

said a proposed agronomic research facility would bring people into the county several times a year, *The News-Gazette* reported recently. Nutrien, an agricultural sales and fertilizer company, is looking to develop hundreds of acres near University of Illinois Willard Airport. The proposed development would include a visitor training center and demonstration hall with a capacity of 400, along with a research facility.

Currently, the area is zoned as Ag-1, which means to get the green light, Nutrien would need to obtain a special use permit, the news outlet reported. As a preliminary matter, the Champaign County's Environment and Land Use Committee will need to approve a zoning ordinance change. If that happens, the proposed amendment will go to the county's Zoning Board of Appeals (ZBA) for public hearing in May 2021. If it makes it past the ZBA, it is likely to be considered by the full county board around mid-August 2021, the news outlet reported.

Source: *news-gazette.com*

Minnesota

Rochester's city council considers zoning-change request concerning apartment complex

The role Rochester, Minnesota's city council will take in considering a request to build an apartment complex is being scrutinized, the *Post Bulletin* reported recently.

The city's Ethical Practices Board (EPB) recently fielded questions about whether the Council's role would be to decide the fate of the proposed complex based on zoning code requirements or whether they could interpret that policy to make their determination, the news outlet reported.

According to an EPB ruling from 2009, city councilors and members of the zoning and planning boards are advised to abstain from voting on development requests where they had previously voiced opinions about those matters, the news outlet reported.

Now one council member is asking the EPA to add language to the city's ethics code, but that request faces opposition, with some arguing it could prevent city officials from discussing matters with their constituencies.

Source: *postbulletin.com*

New Jersey

Jackson's ZBA to consider proposal to add parking garage at Adventure Crossing

A development project, which is expected to include an Air Dome and sports bar, an arcade, restaurants, a gas station, hotels and a convention center, outdoor sports fields, buildings to house medical treatment facilities, warehouses, and residential and other commercial spaces, wants to add a parking garage to the mix. As of print time, the Jackson, New Jersey Zoning Board of Adjustments (ZBA) was set to hear testimony concerning the application, *centraljersey.com* reported recently.

The project, which sits on Route 537 near Interstate 195 and Jackson's Six Flags Great Adventure amusement park, has been approved by the planning board. But, to obtain approval for the proposed parking garage, the developer will need to get a variance because the garage is not a permitted use in the zone where Adventure Crossing will sit.

Source: *centraljersey.com*

North Carolina

Landis amends zoning ordinance concerning signs

The Town of Landis, North Carolina's Board of Alderman recently approved proposed amendments to its zoning ordinances to include a list of prohibited signs and signage, which must be removed within a 10-day period, the *Salisbury Post* reported recently. These include "snipe signs" and those attached to lights, curbs, sidewalks, streets, utility and public telephone poles, public buildings, fences, railings, and trees, the news outlet reported.

Certain signs are still permitted, the article explained, such as: warning and security signs, including signs on private property provided they include less than two-square feet of content; signs or flags on private or public property commemorating holidays, signs placed inside an amphitheater or ball park for event attendees to read; and short-term signage for charity and nonprofit-related events.

Source: *salisburypost.com*

Pennsylvania

Vape shop can stay open following a vote by Dauphin County zoning hearing board

The Dauphin County Zoning Hearing Board has approved an application for relief, which East Coast Vapor, a Paxtaug, Pennsylvania-based vape shop, *pennlive.com* reported recently. A controversy arose in 2019 when the shop's owner set out to open for business.

The owner claimed that when he was considering purchasing space in town to operate his vape shop he was told the business could be run there. But, then the borough proposed an amendment to the local zoning ordinance to bar e-cigarette and vape-related product sales in the area where the storefront would be located.

With a 2-1 vote, the zoning hearing board voted in the shop owner's favor. He contended he wouldn't have tried to set up shop at that location if he had been told he wouldn't be able to operate his business there.

Source: *pennlive.com*

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