



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, August 4, 2020 in the Turquoise Room at Elko Convention Center, 700 Moren Way, Elko, Nevada, and beginning at 5:30 P.M., P.D.S.T.

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 CITY HALL – 1751 College Avenue, Elko, NV 89801

Date/Time Posted: July 29, 2020 2:00 p.m.

Posted by: Shelby Archuleta, Planning Technician
Name Title

Shelby Archuleta
Signature

The public may contact Shelby Archuleta by phone at (775) 777-7160 or by email at sarchuleta@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 July, 2020.

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.

Scott Wilkinson
Scott Wilkinson, Assistant City Manager

CITY OF ELKO
PLANNING COMMISSION
REGULAR MEETING AGENDA
5:30 P.M., P.D.S.T., TUESDAY, AUGUST 4, 2020
ELKO CONVENTION CENTER, TURQUOISE ROOM,
700 MOREN WAY, ELKO, NEVADA

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

July 7, 2020 – Regular Meeting **FOR POSSIBLE ACTION**

I. NEW BUSINESS

A. PUBLIC HEARING

1. Review and consideration of Tentative Map No. 5-20, filed by BDSA, LLC, for the development of a subdivision entitled Tower Hill, Unit 4, involving the proposed division of approximately 8.601 acres of property into 5 lots for residential development and 1 remainder lot within the R1 (Single-Family Residential) Zoning District, and matters related thereto. **FOR POSSIBLE ACTION**

The subject property is located generally on the southwest side of Deerfield Way. (APNs 001-929-125)

2. Review, consideration and possible recommendation to City Council for Rezone No. 2-20, filed by the City of Elko, for a change in zoning from AG (General Agriculture) to PQP (Public, Quasi-Public) Zoning District, approximately 38.09 acres of property, to allow for the proposed development of a veterans cemetery and other future public uses, and matters related thereto. **FOR POSSIBLE ACTION**

The subject property is generally located north and south of Rocky Road, approximately 520' west of N. 5th Street. (APN 001-01A-012)

3. Review, consideration and possible recommendation to City Council for Rezone No. 3-20, filed by Elko Institute for Academic Achievement, for a change in zoning from CT (Commercial Transitional) to PQP (Public, Quasi-Public) Zoning District, approximately 11.38 acres of property, to allow for the development of a school, and matters related thereto. **FOR POSSIBLE ACTION**

The subject property is generally located on the northeast corner of the intersection of College Avenue and Ruby Vista Drive. (APN 001-620-058)

4. Review, consideration, and possible adoption of Resolution 2-20, containing amendments to the City of Elko Master Plan, specifically amending: 1) the Proposed Future Land Use Plan Atlas Map 8 on six parcels of land located on S. 5th Street generally between Carlin Court and S. 9th Street; 2) the Land Use Section to add RO (Residential Office) as a corresponding zoning under the Downtown Mixed-Use land use designation; and 3) the Proposed Future Land Use Plan Atlas Map 8 on one parcel located at the western terminus of Rocky Road, and matters related thereto. **FOR POSSIBLE ACTION**

Planning Commission reviewed and initiated the amendment to the City of Elko Master Plan at its July 7, 2020 meeting.

5. Review, consideration, and possible action of Conditional Use Permit No. 3-20, filed by Ruby Mountain Acton Academy on behalf of Gladys Burns, which would allow for a teaching of the creative arts/childcare center within an R (Single-Family and Multi-Family Residential) Zoning District, and matters related thereto. **FOR POSSIBLE ACTION**

The subject property is located generally on the southeast side of Birch Street, approximately 125' west of the intersection of Birch Street and Dotta Drive. (675 W. Birch Street - APN 001-073-001)

6. Review, consideration, and possible action on Variance No. 3-20, filed by Real Estate Pro, LLC, to allow required off street parking to be located within the interior side yard setback for each dwelling unit proposed to occupy a series of contiguous lots in a R (Single-Family and Multi-Family Residential) Zoning District, and matters related thereto. **FOR POSSIBLE ACTION**

The subject property is located generally on the southwest side of Fir Street, between 2nd Street and 3rd Street. (APNs 001-096-010 through 001-096-015)

B. MISCELLANEOUS ITEMS, PETITIONS, AND COMMUNICATIONS

1. Review, consideration, and possible recommendation to City Council for Vacation No. 2-20, filed by Real Estate Pro, LLC, for the vacation of the southeasterly portion of Fir Street abutting APNs 001-096-010 through 001-096-015, consisting of an area approximately 1,500 sq. ft., and matters related thereto. **FOR POSSIBLE ACTION**

The property owner is proposing to develop the six lots with single family homes and would like to vacate any excess right-of-way. City Council accepted the petition for the vacation on July 14, 2020.

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**

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

Respectfully submitted,



Scott Wilkinson
Assistant City Manager

CITY OF ELKO
PLANNING COMMISSION
REGULAR MEETING MINUTES
5:30 P.M., P.D.S.T., TUESDAY, JULY 7, 2020
ELKO CONVENTION CENTER, TURQUOISE ROOM,
700 MOREN WAY, ELKO, NEVADA

CALL TO ORDER

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

ROLL CALL

Present: **Jeff Dalling**
 Stefan Beck
 John Anderson
 Gratton Miller
 Giovanni Puccinelli

Excused: **Tera Hooiman**
 Evi Buell

City Staff Present: **Scott Wilkinson, Assistant City Manager**
 Cathy Laughlin, City Planner
 Michele Rambo, Development Manager
 Shelby Archuleta, Planning Technician

PLEDGE OF ALLEGIANCE

COMMENTS BY THE GENERAL PUBLIC

Scott Wilkinson, Assistant City Manager, wanted to make a comment on the COVID precautions that the City has. In order to abide by the City Managers Directive we are practicing social distancing, and everyone also needs to wear a mask.

APPROVAL OF MINUTES

May 5, 2020 – Regular Meeting **FOR POSSIBLE ACTION**

*****Motion: Approve the minutes of the May 5, 2020 meeting.**

Moved by Stefan Beck, seconded by Gratton Miller.

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

June 2, 2020 – Regular Meeting **FOR POSSIBLE ACTION**

*****Motion: Approve the minutes of the June 2, 2020 meeting.**

Moved by Stefan Beck, seconded by Giovanni Puccinelli.

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

I. NEW BUSINESS

A. MISCELLANEOUS ITEMS, PETITIONS, AND COMMUNICATIONS

1. Review, consideration and possible approval of Final Map No. 3-20, filed by Scott Reutner Properties, LLC, for the development of a subdivision entitled Aspen Heights involving the proposed division of approximately 2.54 acres of property into 9 lots for residential development within the R (Single Family and Multiple Family Residential) Zoning District, and matters related thereto. **FOR POSSIBLE ACTION**

Subject property is located on the south side of Celtic Way between Shadow Ridge Drive and Sunnyside Avenue. (APN 001-660-011)

Michele Rambo, Development Manager, went over the City of Elko Staff Report dated June 11, 2020. Staff recommended approved with the findings and conditions listed in the Staff Report.

Cathy Laughlin, City Planner, had no concerns.

Ms. Rambo stated that the City Manager's office had no comments or concerns, and neither did the Engineering Department.

*****Motion: Forward a recommendation to City Council to 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 3-20 with conditions listed in the Staff Report dated June 11, 2020, listed as follows:**

Community Development:

1. The Developer shall execute a Performance and Maintenance Agreement in accordance with Section 3-3-21 of City code. The Performance Agreement shall be secured in accordance with Section 3-3-22 of City code. In conformance with Section 3-3-21 of City code, the public improvements shall be completed within a time of no later than two (2) years of the date of Final Map approval by the City Council unless extended as stipulated in City code.
2. The Performance and Maintenance Agreement shall be approved by the City Council.

3. The Developer shall enter into the Performance and Maintenance Agreement within 30 days of approval of the Final Map by the City Council or the Final Map approval becomes null and void.
4. The Final Map for Aspen Heights is approved for 9 single family residential lots.
5. The Utility Department will issue a Will Serve Letter for the subdivision.
6. Site disturbance (including grading) shall not commence prior to approval of the project's construction plans by the Nevada Department of Environmental Protection.
7. 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.
8. Building permits will not be issued until the water system is approved to be put in service by the Nevada Department of Environmental Protection.
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.

Public Works:

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

Commission Beck's findings to support the motion were the Final Map for Aspen Heights has been presented before expiration of the subdivision proceedings in accordance with NRS 278.360(1)(a)(2) and City Code. The Final Map is in conformance with the Tentative Map. The proposed subdivision is in conformance with the Land Use and Transportation Components of the Master Plan. The proposed development conforms with Sections 3-3-9 through 3-3-16 (inclusive). The Subdivider shall be responsible for all required improvements in conformance with Section 3-3-17 of City Code. The Subdivider has submitted construction plans in conformance with Section 3-3-18 of City Code. The Subdivider has submitted 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 and Maintenance Guarantee as stipulated in the Performance Agreement in conformance with Section 3-3-22 of City Code. The proposed development conforms to Sections 3-2-3, 3-2-4, 3-2-5(E), 3-2-5(G), and 3-2-17 of City Code. The proposed development is in conformance with Section 3-8 of City Code.

Moved by Stefan Beck, seconded by Gratton Miller.

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

2. Review, consideration, and possible recommendation to City Council for Parcel Map 5-20, filed by City of Elko. The parcel map creates four parcels from the existing one parcel and contains an offer of dedication for right-of-way for a portion of Wright Way, Rocky Road and Jennings Way. Due to the dedication, it is referred to the Planning Commission with recommendation to the City Council, and matters related thereto. **FOR POSSIBLE ACTION**

The parcel map creates four parcels from the one parcel owned by the applicant, City of Elko. The map will be dedicating a portion of Wright Way, Rocky Road and Jennings Way to the City of Elko.

Ms. Laughlin wanted to give a little history on the parcel. The City of Elko owns the parcel; a land exchange was done with the BLM to get this piece of land. The City has had several entities interested in this piece of land, including the Elko County School District and the Bureau of Veteran Affairs. The VA would like a portion of parcel, not the whole 30 acres. They would like 15 acres in the center for a Veteran's Cemetery. There has been discussion with the VA for many months on several different locations throughout the City. They have focused on this particular parcel. They put together the parcel map, they are creating four parcels out of the one parcel, and there are some roadway dedications. Whenever there is a parcel map that goes to the center of the street, the City asks that that half of the street be dedicated to the City as part of the Parcel Map process. The right-of-way for Wright Way, Rocky Road and Jennings Way will be dedicated in the parcel map. Whenever there is a dedicated right-of-way proposed in a Parcel Map, it is brought to the Planning Commission for review, consideration, and recommendation to the City Council. Ms. Laughlin went through the City of Elko Staff Report dated June 23, 2020. Staff recommended approval with the findings and conditions listed in the Staff Report.

Ms. Rambo stated that the Development Department, Fire Department, Engineering Department, and City Manager's Office had no comments.

Commission Gratton Miller asked how serious the VA was about purchasing this property.

Ms. Laughlin explained that an agreement was approved with the VA and it is currently in their process. Part of the process was doing the parcel map, another part of the process will be getting a geological survey, historical survey, and anything else that the government requires them to do. They are in that process and the City does have an agreement with them. We have not seen the appraisal come back, which is also part of the process and the VA's responsibility.

*****Motion:** Forward a recommendation to City Council to conditionally approve Parcel Map No. 5-20 subject to the conditions from the Development Department's memo June 23, 2020, listed as follows:

1. Prior to map recordation, a Master Plan Amendment is required to change the Master Plan designation from Residential Medium Density to Public (or other appropriate designation).

2. Prior to map recordation, a Zone Change is required to change the zoning designation from General Agriculture to Public/Quasi-Public (or other appropriate designation).
3. All required public improvements (including any off-site improvements) required as future development occurs must be designed and constructed per current City of Elko code requirements in place at that time.
4. The Parcel Map shall be recorded by Elko County within two (2) years of this approval.
5. Prior to map recordation, add a note to the map stating that all public improvements are to be installed at time of the development of each parcel.
6. Future water and sewer will need to be extended from the residential neighborhood to the east. The water line shall be a minimum of 10 inches and the sewer line shall be a minimum of 8 inches per City Code.

Commissioner Beck's findings to support the recommendation was the parcel map conforms with the City of Elko Master Plan Transportation component, the City of Elko Wellhead Protection Plan, and the City of Elko Code Sections 2-13-3, 3-2-4, 3-2-13, 3-8, and 3-3-24, and 3-3-28. The proposed development is not in strict conformance with the Land Use component of the Master Plan.

Moved by Stefan Beck, seconded by Giovanni Puccinelli.

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

3. Review, consideration, and possible action to an amendment to the City of Elko Master Plan, specifically amending: 1) the Proposed Future Land Use Plan Atlas Map 8 on six parcels of land located on S. 5th Street generally between Carlin Court and S. 9th Street; 2) adding RO (Residential Office) as a corresponding zoning under the Downtown Mixed-Use land use designation, and 3) the Proposed Future Land Use Plan Atlas Map 8 on one parcel located at the western terminus of Rocky Road, and matters related thereto. **FOR POSSIBLE ACTION**

Recent development applications have revealed some inconsistencies between existing Zoning districts and Master Plan designations. The proposed amendment cleans up these inconsistencies. NRS Section 278.210(5) allows Master Plans to be amended up to four times a year. This amendment is the second in 2020.

Ms. Rambo went through the City of Elko Staff Report dated June 22, 2020.

Ms. Laughlin explained that the Planning Department worked with the Development Department on this Master Plan Amendment, so she recommended approval.

Ms. Rambo stated that Engineering, Fire, and the City Manager's Office had no comments or concerns.

*****Motion: Initiate an amendment to the City of Elko Master Plan, specifically amending: 1) the Proposed Future Land Use Plan Atlas Map 8 on six parcels of land located on S. 5th Street generally between Carlin Court and S. 9th Street; 2) adding RO (Residential Office) as a corresponding zoning under the Downtown Mixed-Use land use designation, and 3) the Proposed Future Land Use Plan Atlas Map 8 on one parcel located at the western terminus of Rocky Road, and direct staff to bring the item back as a resolution and public hearing.**

Moved by Gratton Miller, seconded by Giovanni Puccinelli.

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

4. Review, consideration, and possible action to initiate an amendment to the City of Elko district boundaries, specifically APN 001-472-014, removing the C-General Commercial Zoning District and replacing with the PQP- Public, Quasi-Public District, and matters related thereto. **FOR POSSIBLE ACTION**

Elko City Code Section 3-2-21 allows the Planning Commission to initiate on its own motion a change to the district boundaries. The City of Elko owns the parcel and the building has been occupied for many years as a fire station. This amendment, initiated by the Planning Commission, if approved, will bring back as a public hearing a rezone of the parcel from C-General Commercial to PQP- Public Quasi-Public.

Ms. Laughlin went through the City of Elko Staff Report dated June 17, 2020. Staff recommended the Planning Commission initiate an amendment to the City of Elko District Boundary.

Ms. Rambo stated that Development, Engineering, Fire, and City Manager's Office had no comments or concerns.

*****Motion: Initiate an amendment to the City of Elko district boundaries, and direct staff to bring the item back as a public hearing.**

Moved by Stefan Beck, seconded by Gratton Miller.

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

5. Review, consideration, and possible action to initiate an amendment to the City of Elko district boundaries, specifically APN 001-01A-012, removing the AG-General Agriculture Zoning District and replacing with the PQP- Public, Quasi-Public District, and matters related thereto. **FOR POSSIBLE ACTION**

Elko City Code Section 3-2-21 allows the Planning Commission to initiate on its own motion a change to the district boundaries. The City of Elko owns the parcel

and the VA is proposing to purchase a portion of the property for a future VA Cemetery. This amendment, initiated by the Planning Commission, if approved, will bring back the zone amendment as a public hearing to rezone the parcel from AG-General Agriculture to PQP- Public Quasi-Public.

Ms. Laughlin went over City of Elko Staff Report dated June 22, 2020. Staff recommended that the Planning Commission initiate an amendment to the City of Elko District Boundary.

Ms. Rambo stated that Development, Engineering, Fire, and City Manager's office had no comments or concerns.

*****Motion: Initiate an amendment to the City of Elko district boundaries, and direct staff to bring the item back as a public hearing.**

Moved by Stefan Beck, seconded by Gratton Miller.

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

II. REPORTS

A. Summary of City Council Actions.

Ms. Laughlin reported that at the June 9th City Council Meeting, they approved a deed of dedication for the West Front Street extension, and BLA for the same property. Staff has been working on that for almost 1 year. Some land transactions and previous agreements were done between two different parties and the City of Elko, which were not done correctly. It was brought to staff's attention to clean up, they were working on it for nearly a year, and it is finally done. City Council approved a Revocable Permit for the 9th & Court Street property for a foot of the alley to accommodate their off street parking. On the June 23rd City Council meeting they approved the vacation for Starkey for the corner of 6th & Juniper. Planning Commission meeting will continue to take place in this room for at least the next month. There are two Commissioners up for reappointment, and both wanted to be reappointed, so that will be on the Consent Agenda for City Council on July 14th.

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

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

**Elko City Planning Commission
Agenda Action Sheet**

1. Title: **Review and consideration of Tentative Map 5-20, filed by BDSA, LLC for the development of a subdivision entitled Tower Hill Unit 4 involving the proposed division of approximately 8.601 acres of property into 5 lots for residential development and 1 remainder lot within the R1 (Single-Family Residential) Zoning District, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **August 4, 2020**
3. Agenda Category: **NEW BUSINESS, PUBLIC HEARINGS**
4. Time Required: **20 Minutes**
5. Background Information: **Subject property is located northeast of Lamoille Highway and south of Stitzel Road. (APN 001-929-125)**
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 5-20 based on facts, findings, and conditions as presented in Staff Report dated July 20, 2020.**
9. Findings: **See Staff Report dated July 20, 2020**
10. Prepared By: **Michele Rambo, AICP, Development Manager**
11. Agenda Distribution: **BDSA, LLC**
Attn: Scott Macritchie
312 Four Mile Trail
Elko, NV 89801

High Desert Engineering
Attn: Tom Ballew
640 Idaho Street
Elko, NV 89801

STAFF COMMENT FLOW SHEET
PLANNING COMMISSION AGENDA DATE: 8/4

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

Title: Tentative Map No. 5-20 Tower Hill - Unit 4

Applicant(s): BDSA, LLC

Site Location: SW side of Deerfield Way, Elkhorn Circle

Current Zoning: R1 Date Received: 6/8/20 Date Public Notice: 7/21/20

COMMENT: This is for the division of 8.83 acres into 5
lots for residential development and a remainder parcel

If additional space is needed please provide a separate memorandum

Assistant City Manager: Date: 7/28/20

Recommend approval as presented by staff
provided that the grading supports the
required water pressures as stipulated in
NRS w/ tank water elevation approved by
the utility director SAU

Initial

City Manager: Date: 7/29/20

No comments/concerns.

W
Initial



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

CITY OF ELKO STAFF REPORT

REPORT DATE:	July 20, 2020
PLANNING COMMISSION DATE:	August 4, 2020
AGENDA ITEM NUMBER:	I.A.1.
APPLICATION NUMBER:	Tentative Map 5-20
APPLICANT:	BDSA, LLC
PROJECT DESCRIPTION:	Tower Hill Unit 4

A Tentative Map for the proposed division of approximately 8.601 acres of property into 5 lots for residential development and 1 remainder lot within a R1 (Single-Family Residential) Zoning District.



STAFF RECOMMENDATION:

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

SUMMARY NARRATIVE

The proposed subdivision is an extension of the developing Tower Hill subdivision located at the south end of Stitzel Drive. The 8.601-acre parcel in question would be divided into five additional residential lots and a large remainder lot for further expansion in the future. The site has already been mass-graded, but some additional grading will be needed to bring the five proposed residential lots into the water service area. Three of the five lots will extend down the hillside to Lamoille Highway, but the slope area is to remain undisturbed. However, once the lots are sold, each individual homeowner may propose changes to this hillside, which will be evaluated by City Staff to determine if there will be impacts to such things as drainage, soil runoff, etc. Water and sewer service will be extended to Unit 4 via Unit 3, which is currently under construction.

A Slope Analysis was completed, which showed the average slope of the property to be 14.53%. Section 3-2-28 states that hillside development standards and regulations are required for site with an average slope of 15% or greater.

The developer is also required to extend their fair-share portion of the shared-use path on Lamoille Highway. Due to ongoing design issues where the path currently ends (south of Pinion Road), the developer has agreed to provide this extension from Errecart Drive heading north.

The proposed Tentative Map conforms with all city documents, plans, and ordinances. In addition, all required findings can be made in the affirmative. A Modification of Standards is required for four of the five lots to accommodate the smaller lot widths around the bulb of the cul-de-sac, which is included as part of this approval.

TECHNICAL INFORMATION

PARCEL NUMBER:	001-929-125
PARCEL SIZE:	8.601 Acres
EXISTING ZONING:	(R1) Single-Family Residential
MASTER PLAN DESIGNATION:	(RES-MD) Residential Medium Density
EXISTING LAND USE:	Vacant

NEIGHBORHOOD CHARACTERISTICS:

The property is surrounded by:

-) North: Single-Family and Multiple-Family Residential (R) / Developed
-) South: General Agriculture / Vacant
-) East: Elko County / Scattered Single-Family Residences
-) West: General Commercial (C) / Vacant
Planned Commercial (PC) / Vacant

PROPERTY CHARACTERISTICS:

-) The property is an undeveloped residential parcel.
-) The site abuts previous residential development to the north and northwest, vacant agriculture property to the south, vacant commercial property to the west, and partially developed residential property to the east outside City limits.
-) The parcel slopes down to Lamoille Highway. The slope has been incorporated into the tentative map design.
-) The property will be accessed by Deerfield Way, to be developed as part of Tower Hill Unit 3 (public improvements being installed at this time).

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 3-2-5(B) Single-Family Residential District
-) 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
-) City of Elko Zoning – 3-2-28 Hillside Development Regulations and Guidelines

BACKGROUND:

1. The property owner and applicant is BDSA, LLC.
2. The subdivision is located on APN 001-929-125.
3. The property is undeveloped.
4. The proposed subdivision consists of five residential lots and one remainder lot for future development.
5. The total subdivided area is approximately 8.601 acres.
6. The proposed density is 1.72 units per acre.
7. No phasing is proposed as part of this subdivision.

8. There are one new dedicated roadway offered as part of the project (Elkhorn Circle).
9. The property is located northeast of Lamoille Highway and south of Stitzel Road.

MASTER PLAN

Land Use:

1. The land use for the parcel is shown as Residential Medium Density, which is intended for residential development at a density between four and eight units per acre. The proposed subdivision consists of a density of 1.72 units per acre. While this is a lower density than intended in the Master Plan, three of the five lots consist of substantial slopes that do not lend themselves to developing any additional units. Therefore, the Tentative Map does conform with the Master Plan.
2. The zoning for the parcel is shown as Single-Family Residential, which is a corresponding district within the Residential Medium Density land use designation.
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 one 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 infrastructure that is currently being installed as part of Tower Hill Unit 3.
5. Objective eight 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 Deerfield Way, currently being constructed as part of Tower Hill Unit 3. Access to Deerfield Way will be from Stitzel Drive.
2. Stitzel Drive is classified as a Residential Collector street.
3. This Tentative Map consists of a single cul-de-sac. The interior circulation of the overall Tower Hill subdivision will be provided by new roads, which have already been dedicated to the City of Elko.
4. The Master Plan requires Residential Collector streets to have 60 feet of right-of-way.
5. Stitzel Drive has 60 feet of right-of-way. No further dedications are required.
6. Upon full buildout, the proposed subdivision is expected to generate approximately 48 additional Average Daily Trips based on 9.52 trips/single-family unit (ITE Trip Generation, 10th Edition). This is well 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 property is not located within any capture zone for 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.

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

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 public 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.
- b. The availability of water, which meets applicable health standards and is sufficient in quantity for the reasonably foreseeable needs of the 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 zoning for the parcel is shown as Single-Family Residential, which is listed in the Master Plan as a corresponding district within the Residential Medium Density land use designation.
 -) Residential Medium Density is intended for residential development at a density between four and eight units per acre. The proposed subdivision consists of a density of 1.72 units per acre. While this is a lower density than intended in the Master Plan, three of the five lots consist of substantial slopes that do not lend themselves to developing any additional units. Therefore, the Tentative Map does conform with the Master Plan.
 -) 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 48 Average Daily Trips to Bluffs Avenue. 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.
- 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 that 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. The continuation of roadways is not required of the proposed subdivision.
 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 new cul-de-sac (Elkhorn Circle).
 5. Single-family residential units are allowed in the Single-Family Residential 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.
- 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 Deerfield Way as access, which is currently under construction as part of Tower Hill Unit 3.
- B. Layout: Street continuation through the proposed subdivision is not required.
- C. Extensions: No 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: There are no lots that have frontage or access from arterial streets. The subdivision has been designed so that all lots will front onto the proposed cul-de-sac. All surrounding streets are local residential roads.
- F. Parallel Streets: Consideration of street location is not required.
- G. Topography: The proposed street has 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: The proposed intersection with Deerfield Way is code compliant.

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: Stitzel Road, the main access into the subdivision, currently consists of the required 60 feet of right-of-way. 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 within the subdivision. However, the developer is required to construct a portion of the shared-use pathway on the west side of Lamoille Highway.

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 lot width. Four of the five lots (Lots 402, 403, 404, and 405) are located on the curve of the cul-de-sac 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 Stitzel Drive via Deerfield Way.
- E. Prohibitions: No prohibitions are required for the proposed lots.

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: There are no nearby arterial streets, therefore, there are no lots proposed which require residents to back onto an arterial street.
- 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 at the intersection of Deerfield Way.

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

SECTION 3-3-15 STREET NAMING:

The subdivider has proposed one new street name (Elkhorn Circle).

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 3-2-5(B) R1 SINGLE-FAMILY RESIDENTIAL DISTRICT:

Section 3-2-5(B)(2) Principal Uses Permitted:

1. Electric power substations, sewer lift stations, and water pump stations wherein service to district residents requires location within the district.
2. One single-family dwelling of a permanent character in a permanent location with each dwelling unit on its own parcel of land and provided all area and setback requirements are met.
3. Publicly owned and operated parks and recreation areas and centers.

The proposed subdivision and development is in conformance with Section 3-2-5(B). Conformance with Section 3-2-5(B) 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 402, 403, 404, and 405. These lots are located on the curve of the cul-de-sac 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. This Tentative Map consists of a single cul-de-sac. The interior circulation of the overall Tower Hill subdivision will be provided by new roads, which have already been 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-car garage 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 QUALITY 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.

SECTION 3-2-28 HILLSIDE DEVELOPMENT REGULATIONS AND GUIDELINES

Based on a Slope Analysis done by the project engineer, the average slope of the parcel being divided is 14.53%. Section 3-2-28 identifies hillside development as any parcel with an average slope of 15% or more. Therefore, the subdivision does not need to conform to the regulations and guidelines found in this section.

OTHER:

The following permits will be required for the project:

1. State storm water 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.
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 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 be approved by City Council for Lot 402, 403, 404, and 405 to allow for shorter-than-required front lots widths.
13. Construction plans shall include the portion of shared-use path along Lamoille Highway that the developer will install.

Public Works Department:

14. All public improvements at time of development per Elko City code.

Tentative Map 5-20 Tower Hill - Unit 4

YPNO	assess_nam	address1	address2	mcity	mzip
001929145	ARNOLD BECK CONSTRUCTION INC	} 1pc	283 GREENCREST DR	SPRING CREEK, NV	89815-
001929144	ARNOLD BECK CONSTRUCTION INC		283 GREENCREST DR	SPRING CREEK, NV	89815-
001929143	ARNOLD BECK CONSTRUCTION INC		283 GREENCREST DR	SPRING CREEK, NV	89815-
001929125	BDSA LLC	4518 N 32ND ST		PHOENIX, AZ	85018-3300
001770005	ELKO HOLDING GROUP LLC	C/O BACCARAT LADY, LLC	301 VILBERTI CT	LAS VEGAS, NV	89144-4010
00609E015	GERBER LENORE C TR	920 LONGLEAF DR		NORTH SALT LAKE, UT	84054-
001929136	GUTHRIE, ALYSSA	ROMERO, LUIS	2009 CHUKAR DR	ELKO, NV	89801-
001929137	HASTINGS, MITZI & JACKIE ET AL		2013 CHUKAR DR	ELKO, NV	89801-
001929149	JORDANELLE THIRD MORTGAGE LLC	4518 N 32ND ST	} 1pc	PHOENIX, AZ	85018-3300
001929142	JORDANELLE THIRD MORTGAGE LLC	4518 N 32ND ST		PHOENIX, AZ	85018-3300
001929141	JORDANELLE THIRD MORTGAGE LLC	4518 N 32ND ST		PHOENIX, AZ	85018-3300
001929140	JORDANELLE THIRD MORTGAGE LLC	4518 N 32ND ST		PHOENIX, AZ	85018-3300
001929138	JORDANELLE THIRD MORTGAGE LLC	4518 N 32ND ST		PHOENIX, AZ	85018-3300
001929139	JORDANELLE THIRD MORTGAGE LLC	4518 N 32ND ST		PHOENIX, AZ	85018-3300
001920058	ORMAZA SERIES LAMOILLE HWY LLC	PO BOX 339		ELKO, NV	89803-0330

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NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that the Elko City Planning Commission will conduct a series of public hearings on Tuesday, August 4, 2020 beginning at 5:30 P.M. P.D.S.T. in the Turquoise Room at the Elko Convention Center, Elko, Nevada, and that the public is invited to provide input and testimony on these matters under consideration in person, by writing, or by representative.

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

- **Tentative Map No. 5-20, filed by BDSA, LLC, for the development of a subdivision entitled Tower Hill, Unit 4, involving the proposed division of approximately 8.83 acres of property into 5 lots for residential development and a remainder parcel within the R1 (Single-Family Residential) Zoning District, and matters related thereto. The subject property is located generally on the southwest side of Deerfield Way. (APNs 001-929-125)**

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

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

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

July 20, 2020

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

Re: Tentative Map No. 5-20 / Tower Hill – Unit 4

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 8.83 acres of land into 5 lots and a remainder parcel. Please find enclosed a copy of the Tentative Map for your review and comment.

The subject property is located generally on the southwest side of Deerfield Way.

Review by the Elko City Planning Commission is scheduled for their August 4, 2020, 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 Archuleta
Planning Technician

Enclosures

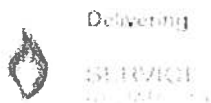
Shelby Archuleta

From: Amanda Marcucci <Amanda.Marcucci@swgas.com>
Sent: Friday, June 26, 2020 9:25 AM
To: Shelby Archuleta
Subject: Tentative Map No 5-20/Tower Hill - Unit 4
Attachments: Scanned from a Xerox Multifunction Printer.pdf

Hi Shelby,

Southwest Gas does not have any objections to Tentative Map No 5-20/Tower Hill – Unit 4.

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

The information in this electronic mail communication (e-mail) contains confidential information which is the property of the sender and may be protected by the attorney-client privilege and/or attorney work product doctrine. It is intended solely for the addressee. Access to this e-mail by anyone else is unauthorized by the sender. If you are not the intended recipient, you are hereby notified that any disclosure, copying, or distribution of the contents of this e-mail transmission or the taking or omission of any action in reliance thereon or pursuant thereto, is prohibited, and may be unlawful. If you received this e-mail in error, please notify us immediately of your receipt of this message by e-mail and destroy this communication, any attachments, and all copies thereof.

Southwest Gas Corporation does not guarantee the privacy or security of information transmitted by facsimile (fax) or other unsecure electronic means (including email). By choosing to send or receive information, including confidential or personal identifying information, via fax or unencrypted e-mail, you consent to accept any associated risk.

Thank you for your cooperation.



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

June 9, 2020

Southwest Gas Corporation
Engineering Department
PO Box 1190
Carson City, NV 89702

SUBJECT: Tentative Map No. 5-20/Tower Hill – Unit 4

To Whom It May Concern:

Enclosed for your review and information is a copy of the submitted tentative map for the proposed Tower Hill – Unit 4 subdivision, which is tentatively scheduled for consideration by the Elko City Planning Commission at their August 4, 2020 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 Archuleta
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

June 9, 2020

NV Energy
Mr. Robert Lino
4216 Ruby Vista Dr.
Elko, NV 89801-1632

SUBJECT: Tentative Map No. 5-20/Tower Hill – Unit 4

Dear Mr. Lino:

Enclosed for your review and information is a copy of the submitted tentative map for the proposed Tower Hill – Unit 4 subdivision, which is tentatively scheduled for consideration by the Elko City Planning Commission at their August 4, 2020 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 Archuleta
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

June 9, 2020

Frontier Communications
John Poole
1520 Church Street
Gardnerville, NV 89410

SUBJECT: Tentative Map No. 5-20/Tower Hill – Unit 4

Dear Mr. Poole:

Enclosed for your review and information is a copy of the submitted tentative map for the proposed Tower Hill - Unit 4 subdivision, which is tentatively scheduled for consideration by the Elko City Planning Commission at their August 4, 2020 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 Archuleta
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

June 9, 2020

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

SUBJECT: Tentative Map No. 5-20/Tower Hill – Unit 4

Dear Ms. Robinson:

Enclosed for your review and information is a copy of the submitted tentative map for the proposed Tower Hill – Unit 4 subdivision, which is tentatively scheduled for consideration by the Elko City Planning Commission at their August 4, 2020 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 Archuleta
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

June 9, 2020

Zito Media

Mr. Joe Bates

VIA Email: joe.bates@zitomedia.com

SUBJECT: Tentative Map No. 5-20/Tower Hill – Unit 4

Dear Mr. Bates:

Enclosed for your review and information is a copy of the submitted tentative map for the proposed Tower Hill – Unit 4 subdivision, which is tentatively scheduled for consideration by the Elko City Planning Commission at their August 4, 2020 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 Archuleta
Planning Technician

Enclosures



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

June 8, 2020

High Desert Engineering, LLC
Attn: Tom Ballew
640 Idaho Street
Elko, NV 89801

Re: Tower Hill Phase 4 Tentative Map – Complete Submittal

Dear Mr. Ballew:

The City of Elko has reviewed your Tentative Map application materials for Tower Hill Phase 4 (submitted June 9, 2020) 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 August 4, 2020 and City Council on August 25, 2020.

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, AICP
Development Manager
mrambo@elkocitynv.gov

CC: BDSA, LLC
Attn: Scott MacRitchie
312 Four Mile Trail
Elko, NV 89801

City of Elko – File

Thomas C. Ballew, P.E., P.L.S.
Robert E. Morley, P.L.S.
Duane V. Merrill, P.L.S.



Consulting Civil Engineering
Land Surveying
Water Rights

June 1, 2020

Cathy Laughlin, City Planner
City of Elko
1751 College Avenue
Elko, NV 89801

Re: Tower Hill Subdivision, Unit Number 4
Tentative Map

Dear Cathy,

Enclosed please find the following items regarding the above referenced project:

- Application for Tentative Map Approval.
- Three (3) 24"x36" copies (consisting of 3 sheets each) of the proposed Tentative Map.
- One (1) copy of the subdivision lot calculations.
- Check in the amount of \$ 900.00 for the Tentative Map review fee.

Pdf copies of the documents listed above will be transmitted to you.

Please feel free to contact me if you have any questions regarding this matter.

Sincerely,
HIGH DESERT Engineering, LLC



Thomas C. Ballew, P.E., P.L.S.

enclosures

cc Scott MacRitchie - BDSA, LLC

RECEIVED

JUN 08 2020



CITY OF ELKO PLANNING DEPARTMENT

1751 College Avenue * Elko * Nevada * 89801

(775) 777-7160 * (775) 777-7119 fax

APPLICATION FOR TENTATIVE MAP (STAGE II) APPROVAL

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

APPLICANT(s): BDSA, LLC
MAILING ADDRESS: 312 Four Mile Trail, Elko, NV 89801
PHONE NO (Home): _____ (Business) (775) 340-6005
EMAIL: scott@macritchie.com
NAME OF PROPERTY OWNER (If different): same
(Property owner consent in writing must be provided)
MAILING ADDRESS: same
LEGAL DESCRIPTION AND LOCATION OF PROPERTY INVOLVED (Attach if necessary):
ASSESSOR'S PARCEL NO.: 001-929-12575
Address Not addressed
Lot(s), Block(s), & Subdivision _____
Or Parcel(s) & File No. Parcel B, File 741117
APPLICANT'S REPRESENTATIVE: High Desert Engineering, LLC
MAILING ADDRESS: 640 Idaho Street, Elko, NV 89801
PHONE NO: (775) 738-4053

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 9C) 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. Application/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

PROJECT DESCRIPTION OR PURPOSE: _____

Development of 5 single family residential lots.

(Use additional pages if necessary)

Preliminary Plat Checklist 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 and phone number of subdivider
✓	Name, address and phone number 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
✓	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
	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
✓	Water Supply, Evidence of adequate volume and quality
✓	Storm Drain, Preliminary Calculations and Layout
✓	Telephone, Power, Gas, Television
	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: BDSA, LLC
(Please print or type)

Mailing Address: 312 Four Mile Trail
(Street Address or P.O. Box)
Elko, NV 89801
(City, State, Zip Code)

Phone Number: (775) 340-6005

Email address: scott@macritchie.com

SIGNATURE:

Scott Macritchie

FOR OFFICE USE ONLY

File No.: 5-20 Date Filed: 6/8/20 Fee Paid: \$900.00 Cy# 2039

5 Lots + remainder = $6 \times 25 = 150$
 1750
 $\$900$
BDSA, LLC

LOT CALCULATIONS

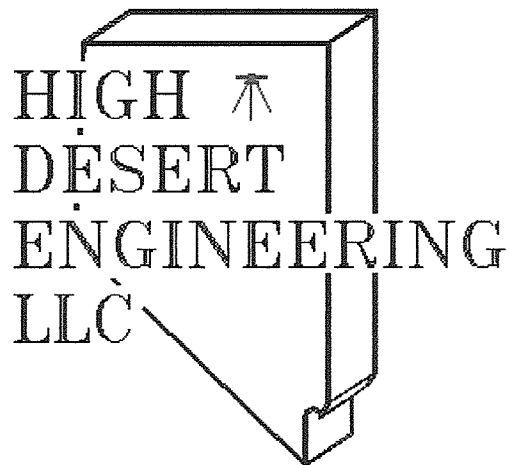
FOR

TOWER HILL SUBDIVISION UNIT NUMBER 4 ELKO, NEVADA

PREPARED FOR:

**BDSA, LLC
312 Four Mile Trail
Elko, Nevada 89801**

**Contact:
Scott MacRitchie
(775) 340-6005**



PREPARED BY

**HIGH DESERT Engineering
640 Idaho Street
Elko, Nevada**

May, 2020

Parcel name: LOT 401

North: 12627.613 East : 60352.775
Line Course: N 58-33-45 W Length: 102.62
North: 12681.136 East : 60265.218
Line Course: N 41-54-22 E Length: 83.64
North: 12743.385 East : 60321.082
Line Course: S 48-05-38 E Length: 100.00
North: 12676.593 East : 60395.506
Line Course: S 41-54-22 W Length: 55.00
North: 12635.660 East : 60358.771
Curve Length: 10.05 Radius: 55.00
Delta: 10-28-07 Tangent: 5.04
Chord: 10.04 Course: S 36-40-18 W
Course In: S 48-05-38 E Course Out: N 58-33-45 W
RP North: 12598.925 East : 60399.704
End North: 12627.611 East : 60352.778

Perimeter: 351.31 Area: 7,443 SF 0.171 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.004 Course: S 62-37-08 E
Error North: -0.0017 East : 0.0033
Precision 1: 87,827.50

Parcel name: LOT 402

North: 12582.544 East : 60347.198
Line Course: S 76-58-33 W Length: 87.29
North: 12562.872 East : 60262.153
Line Course: S 41-54-22 W Length: 207.45
North: 12408.480 East : 60123.595
Line Course: N 33-38-48 W Length: 79.22
North: 12474.428 East : 60079.702
Line Course: N 41-54-22 E Length: 277.75
North: 12681.141 East : 60265.214
Line Course: S 58-33-45 E Length: 102.62
North: 12627.617 East : 60352.770
Curve Length: 46.81 Radius: 55.00
Delta: 48-46-02 Tangent: 24.93
Chord: 45.41 Course: S 07-03-14 W
Course In: S 58-33-45 E Course Out: S 72-40-13 W
RP North: 12598.931 East : 60399.697
End North: 12582.548 East : 60347.194

Perimeter: 801.15 Area: 25,582 SF 0.587 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.006 Course: N 45-08-00 W
Error North: 0.0041 East : -0.0041
Precision 1: 133,523.33

Parcel name: LOT 403

North: 12549.318 East : 60375.954
Line Course: S 28-40-49 W Length: 114.40
 North: 12448.953 East : 60321.051
Line Course: S 41-54-22 W Length: 192.90
 North: 12305.389 East : 60192.211
Line Course: N 33-38-48 W Length: 123.84
 North: 12408.482 East : 60123.595
Line Course: N 41-54-22 E Length: 207.45
 North: 12562.875 East : 60262.153
Line Course: N 76-58-33 E Length: 87.29
 North: 12582.547 East : 60347.197
Curve Length: 45.20 Radius: 55.00
 Delta: 47-05-26 Tangent: 23.97
 Chord: 43.94 Course: S 40-52-30 E
 Course In: N 72-40-13 E Course Out: S 25-34-47 W
 RP North: 12598.930 East : 60399.701
 End North: 12549.321 East : 60375.954

Perimeter: 771.10 Area: 31,650 SF 0.727 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.003 Course: N 04-44-46 W
 Error North: 0.0029 East : -0.0002
Precision 1: 257,026.67

Parcel name: LOT 404

North: 12546.270 East : 60415.584
Line Course: S 16-47-07 E Length: 171.84
 North: 12381.752 East : 60465.209
Line Course: S 43-20-42 W Length: 276.68
 North: 12180.541 East : 60275.299
Line Course: N 33-38-48 W Length: 149.97
 North: 12305.386 East : 60192.205
Line Course: N 41-54-22 E Length: 192.90
 North: 12448.950 East : 60321.045
Line Course: N 28-40-49 E Length: 114.40
 North: 12549.314 East : 60375.948
Curve Length: 40.67 Radius: 55.00
 Delta: 42-21-54 Tangent: 21.31
 Chord: 39.75 Course: S 85-36-10 E
 Course In: N 25-34-47 E Course Out: S 16-47-07 E
 RP North: 12598.924 East : 60399.695
 End North: 12546.267 East : 60415.579

Perimeter: 946.46 Area: 47,055 SF 1.080 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.006 Course: S 60-44-46 W
 Error North: -0.0031 East : -0.0056
Precision 1: 157,743.33

Parcel name: LOT 405

North: 12584.812 East : 60452.859
Line Course: S 49-52-21 E Length: 148.59
North: 12489.047 East : 60566.473
Line Course: S 43-20-42 W Length: 147.54
North: 12381.751 East : 60465.203
Line Course: N 16-47-07 W Length: 171.84
North: 12546.269 East : 60415.578
Curve Length: 56.01 Radius: 55.00
Delta: 58-20-39 Tangent: 30.70
Chord: 53.62 Course: N 44-02-34 E
Course In: N 16-47-07 W Course Out: S 75-07-46 E
RP North: 12598.926 East : 60399.695
End North: 12584.811 East : 60452.853

Perimeter: 523.98 Area: 14,714 SF 0.338 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.006 Course: S 83-20-04 W
Error North: -0.0008 East : -0.0064
Precision 1: 87,330.00

Parcel name: PARCEL D

North: 12094.443 East : 61040.515
Line Course: N 89-44-13 W Length: 710.09
North: 12097.703 East : 60330.432
Line Course: N 33-38-48 W Length: 99.51
North: 12180.543 East : 60275.297
Line Course: N 43-20-42 E Length: 424.22
North: 12489.050 East : 60566.477
Line Course: S 70-45-36 E Length: 70.62
North: 12465.779 East : 60633.153
Line Course: S 82-16-23 E Length: 93.73
North: 12453.176 East : 60726.032
Line Course: S 89-55-03 E Length: 210.00
North: 12452.874 East : 60936.032
Line Course: N 00-04-57 E Length: 90.99
North: 12543.864 East : 60936.163
Line Course: S 89-55-03 E Length: 105.00
North: 12543.713 East : 61041.162
Line Course: S 00-04-57 W Length: 449.26
North: 12094.453 East : 61040.516

Perimeter: 2253.42 Area: 248,191 SF 5.698 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.010 Course: N 03-36-20 E
Error North: 0.0099 East : 0.0006
Precision 1: 225,342.00

Parcel name: UNIT 4 STREET

North:	12676.595	East :	60395.503
Line	Course: S 47-34-46 E	Length:	62.86
	North: 12634.192	East :	60441.907
Curve	Length: 251.30	Radius:	55.00
	Delta: 261-47-12	Tangent:	63.51
	Chord: 83.15	Course:	N 88-59-14 W
	Course In: S 50-07-10 W	Course Out:	N 48-05-38 W
RP	North: 12598.927	East :	60399.701
End	North: 12635.662	East :	60358.768
Line	Course: N 41-54-22 E	Length:	55.00
	North: 12676.595	East :	60395.503

Perimeter: 369.16 Area: 10,136 SF 0.233 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.000 Course: S 03-39-03 W

Error North: -0.0003 East : -0.0000

Precision 1: 369,160,000.00

Parcel name: UNIT 4 TOTAL

North:	12094.443	East :	61040.515
Line	Course: N 89-44-13 W	Length:	710.09
	North: 12097.703	East :	60330.432
Line	Course: N 33-38-48 W	Length:	452.53
	North: 12474.421	East :	60079.699
Line	Course: N 41-54-22 E	Length:	361.39
	North: 12743.382	East :	60321.076
Line	Course: S 48-05-38 E	Length:	100.00
	North: 12676.591	East :	60395.500
Line	Course: S 47-34-46 E	Length:	62.86
	North: 12634.188	East :	60441.904
Curve	Length: 52.56	Radius:	55.00
	Delta: 54-45-04	Tangent:	28.48
	Chord: 50.58	Course:	S 12-30-18 E
	Course In: S 50-07-10 W	Course Out:	S 75-07-46 E
RP	North: 12598.922	East :	60399.698
End	North: 12584.807	East :	60452.856
Line	Course: S 49-52-21 E	Length:	148.59
	North: 12489.042	East :	60566.470
Line	Course: S 70-45-36 E	Length:	70.62
	North: 12465.771	East :	60633.145
Line	Course: S 82-16-23 E	Length:	93.73
	North: 12453.169	East :	60726.024
Line	Course: S 89-55-03 E	Length:	210.00
	North: 12452.867	East :	60936.024
Line	Course: N 00-04-57 E	Length:	90.99
	North: 12543.857	East :	60936.155
Line	Course: S 89-55-03 E	Length:	105.00
	North: 12543.705	East :	61041.155
Line	Course: S 00-04-57 W	Length:	449.26
	North: 12094.446	East :	61040.508

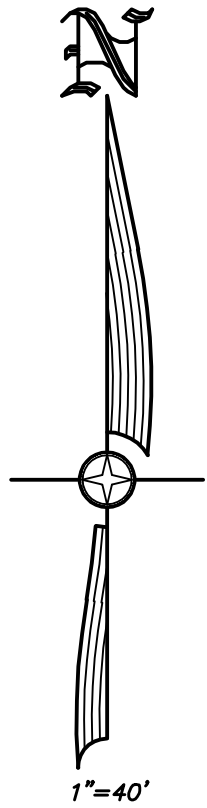
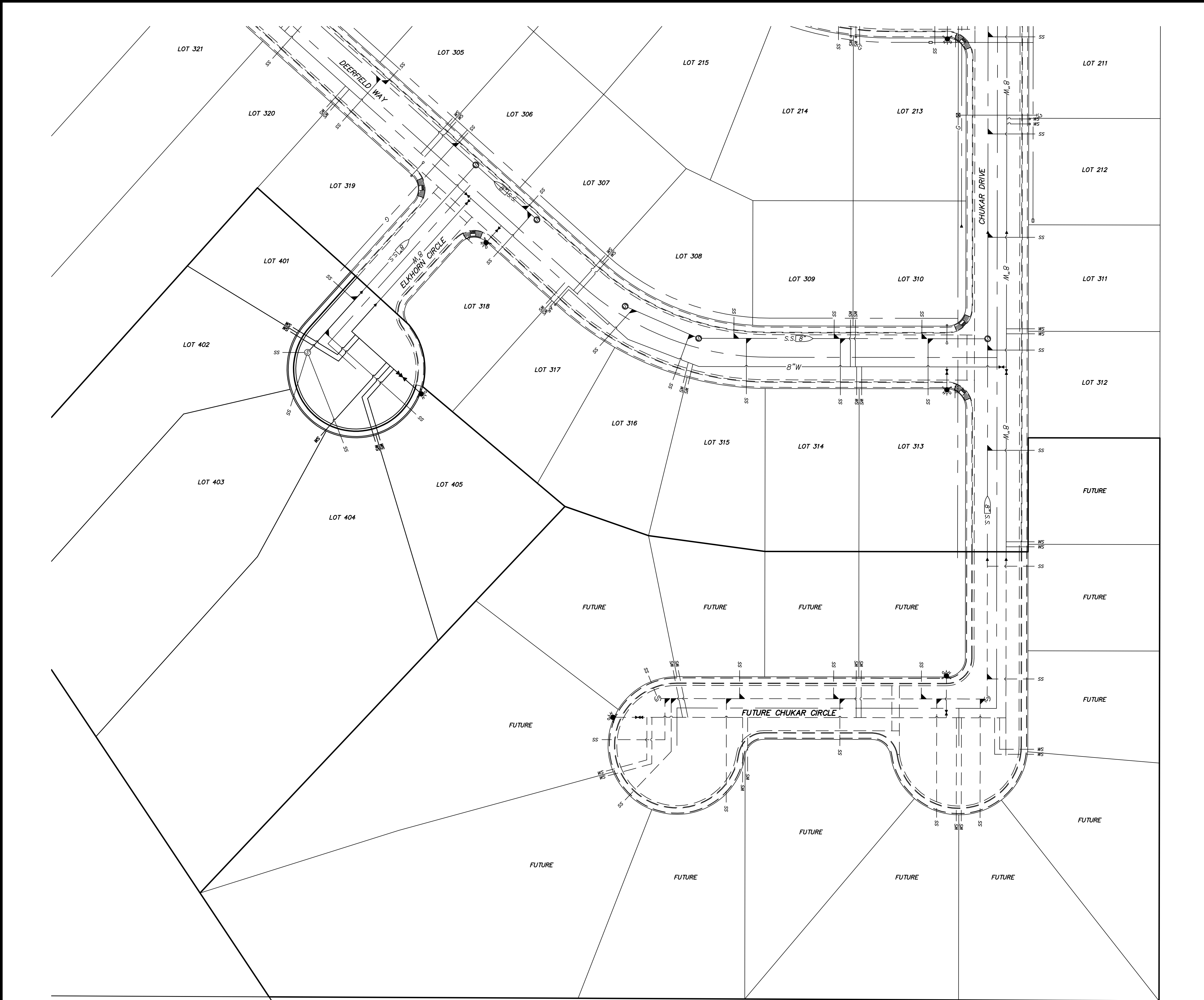
Perimeter: 2907.63 Area: 384,771 SF 8.833 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.007 Course: N 69-10-28 W

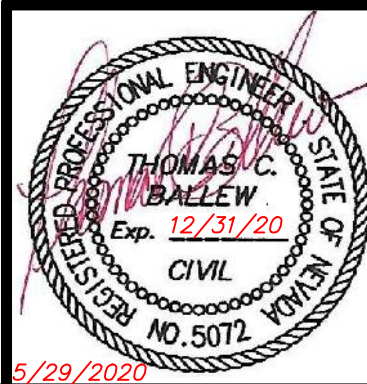
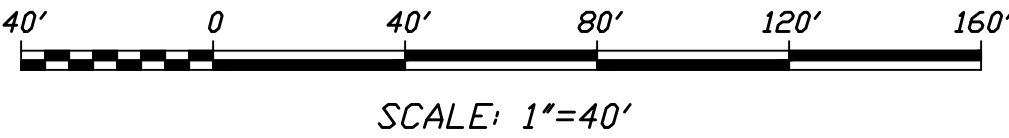
Error North: 0.0026 East : -0.0069

Precision 1: 415,374.29

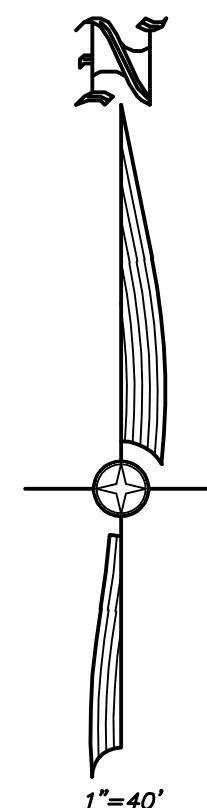


- UTILITY NOTES:**
1. WATER MAINS TO BE PRESSURE CLASS 235 (AWWA C-900) PVC, PLACED AT 42" MINIMUM COVER.
 2. WATER SERVICE LINES TO BE 200 PSI POLYETHYLENE, PLACED AT 42" MINIMUM COVER.
 3. WATER SERVICES TO BE 1" FOR ALL LOTS.
 4. REFERENCE DESIGN REPORT & WATER MODEL ANALYSIS FOR INFORMATION ON WATER SYSTEM.
 5. SANITARY SEWER MAINS AND SERVICE LINES TO BE SDR-35 PVC.
 6. SANITARY SEWER MAINS ALL AT MINIMUM ALLOWABLE SIZE, DUE TO MINIMAL DEMAND.
 7. STORM SEWERS TO BE ADS "N-12" HIGH DENSITY POLYETHYLENE.
 8. REFERENCE STORM DRAINAGE CALCULATIONS FOR INFORMATION ON STORM SEWER FLOWS.

TENTATIVE MAP - UTILITY PLAN



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40' 0 40' 80' 120' 160'

SCALE: 1"=40'

1. MASS GRADING FOR THIS PROJECT HAS BEEN COMPLETED. CONTRACTOR SHALL ASCERTAIN THAT PREVIOUSLY PERFORMED MASS EARTHWORK HAS BEEN COMPLETED IN ACCORDANCE WITH THIS PLAN.
2. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL FINISH GRADING UPON COMPLETION OF ALL UTILITIES.
3. CURB & GUTTER GRADES AT MATCH POINTS ARE TO BE CONSIDERED APPROXIMATE ONLY. FINAL GRADES WILL BE DETERMINED PRIOR TO PLACING CURB & GUTTER.
4. CONTRACTOR SHALL PROVIDE ALL CONSTRUCTION WATER. IF CONTRACTOR WISHES TO USE MUNICIPAL WATER, HE SHALL APPLY WITH THE CITY OF ELKO AND SHALL PAY ALL ASSOCIATED FEES.
5. THE CONTRACTOR SHALL MAINTAIN A 24-HOUR DUST 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. THE CONTRACTOR SHALL MAINTAIN AN ONGOING PROCESS FOR REMOVAL OF SPILLAGE OF EXCAVATED MATERIAL ON ALL PAVED STREETS.
7. ALL AREAS DISTURBED AND LEFT UNDEVELOPED FOR A PERIOD OF MORE THAN 30 DAYS SHALL BE STABILIZED BY THE APPLICATION OF A DUST PALLIATIVE. ALL AREAS LEFT UNDEVELOPED FOR A PERIOD OF MORE THAN 90 DAYS SHALL BE HYDRO-SEEDED WITH AN APPROVED SEED MIX AND TACKIFIER AND SHALL BE IRRIGATED UNTIL FIRMLY ESTABLISHED AS APPROVED BY THE CITY OF ELKO.
8. AVERAGE SLOPE OF SUBDIVISION: $AS = .00229 * L * L / A$

$L = \text{CONTOUR INTERVAL} = 2'$
 $L = \text{TOTAL LENGTH OF CONTOUR LINES} = 28,031 \text{ FT}$
 $A = \text{AREA OF SUBDIVISION} = 8.833 \text{ ACRES}$
 $AS = 14.53\%$


9. SLOPE EASEMENTS TO BE PROVIDED ALONG ALL REAR LOT LINE SLOPES.
10. ESTIMATED EARTHWORK QUANTITIES:

EXCAVATION:

0 C.Y.

EMBANKMENT:

0 C.Y.
11. CONTRACTOR SHALL VERIFY EARTHWORK QUANTITIES PRIOR TO PROCEEDING WITH EARTHWORK.

AVERAGE SLOPE OF SUBDIVISION: $AS = .00229 * I * L / A$


I = CONTOUR INTERVAL	= 2'
L = TOTAL LENGTH OF CONTOUR LINES	= 28,031 FT
A = AREA OF SUBDIVISION	= 8.833 ACRES

$AS = 14.53\%$

TOWER HILL SUBDIVISION – UNIT NUMBER 4
TENTATIVE MAP
GRADING PLAN
ELKO ELKO COUNTY NEVADA

SCALE:	
HORIZ.	1"=40'
VERT.	
JOB No.	5969
DWG No.	220027

**CONSULTING ENGINEERING
&
SURVEYING**
640 IDAHO STREET
ELKO, NEVADA 89801
(775) 738-4053



High Desert Engineering LLC

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 DRAWN BY: TCB
 CHECKED BY: TCB
 APPROVED BY: _____
 DATE: MAY, 2020

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**Elko City Planning Commission
Agenda Action Sheet**

1. **Review, consideration and possible recommendation to City Council for Rezone No. 2-20, filed by the City of Elko, for a change in zoning from AG (General Agriculture) to PQP (Public, Quasi-Public) Zoning District, approximately 38.09 acres of property, to allow for the proposed development of a veterans cemetery and other future public uses, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **August 4, 2020**
3. Agenda Category: **PUBLIC HEARINGS,**
4. Time Required: **15 Minutes**
5. Background Information: **This rezone would allow for the future development of a Veteran's cemetery and other future public uses.**
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 approves Rezone No. 2-20 based on facts and findings as presented in Staff Report dated July 20, 2020.**
9. Findings: **See Staff Report dated July 20, 2020**
10. Prepared By: **Cathy Laughlin, City Planner**
11. Agenda Distribution:

STAFF COMMENT FLOW SHEET
PLANNING COMMISSION AGENDA DATE: 8/4

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

Title: Rezone No. 2-20

Applicant(s): City of Elko

Site Location: APN 001-01A-012, N+S of Rocky Rd, West Wright Way + E of Jennings

Current Zoning: AG Date Received: 7/8 Date Public Notice: 7/21

COMMENT: This is to rezone APN 001-01A-012 from General Agriculture to Public, Quasi-Public.

If additional space is needed please provide a separate memorandum

Assistant City Manager: Date: 7/27/20

Recommend approval as presented by staff

SAW

Initial

City Manager: Date: 7/29/20

No comments/concerns.

CC

Initial



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

CITY OF ELKO STAFF REPORT

MEMO DATE: July 20, 2020
PLANNING COMMISSION DATE: August 4, 2020
APPLICATION NUMBER: REZONE 2-20
APPLICANT: City of Elko
PROJECT DESCRIPTION:

A rezone from (AG) General Agriculture to (PQP) Public, Quasi-Public initiated by the City of Elko Planning Commission.



STAFF RECOMMENDATION:

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

PROJECT INFORMATION

PARCEL NUMBER: 001-01A-012

PARCEL SIZE: 38.086 acres

EXISTING ZONING: AG- General Agriculture

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

EXISTING LAND USE: Undeveloped

NEIGHBORHOOD CHARACTERISTICS:

-) The property is surrounded by:
 -) North: Agriculture / Undeveloped
 -) West: Elko County / Undeveloped
 -) South: Elko County / Partially developed
 -) East: Residential (R) / Developed

PROPERTY CHARACTERISTICS:

-) The area is currently undeveloped.
-) The area has mild sloping.
-) The area is accessed from Jennings Way, Rocky Road and Wright Way.

MASTER PLAN AND CITY CODE SECTIONS:

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 Wellhead Protection Plan
-) City of Elko Zoning – Section 3-2-4 Establishment of Zoning Districts
-) City of Elko Zoning – Section 3-2-8 Public, Quasi-Public Zoning Districts
-) City of Elko Zoning – Section 3-2-21 Amendments
-) City of Elko Zoning – Section 3-8 Flood Plain Management

BACKGROUND:

1. City Council took action at their January 14, 2020 meeting approving an access agreement between the City of Elko and United States of America, by and through the U.S. Department of Veterans Affairs for a portion of this property.
2. The U.S. Department of Veterans Affairs is proposing to purchase the internal 15 acres of this parcel for a future VA Cemetery.
3. A Parcel Map application has been submitted to split the parcel into 4 parcels. With the current zoning, one of the parcels would not meet the minimum acreage of 5 acres. Therefore, the parcel map cannot be approved with the current zoning.
4. Elko Planning Commission initiated a Master Plan amendment at their July 7, 2020

meeting to amend the land use designation from medium density residential to public.

MASTER PLAN:

Land use:

1. Land Use is shown as Medium Density Residential.
2. PQP is not a supporting zoning district for medium density residential.
3. Planning Commission initiated an amendment to the Master Plan Land Use Atlas 8 at their July 7, 2020 meeting with a proposal from medium density residential to public. If this amendment is approved, it would bring the master plan into conformance with the zone amendment. Planning Commission will be hearing the resolution for the Master Plan amendment at their August 4, 2020 meeting.
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.

The proposed zone district is not in conformance with the Land Use Component of the Master Plan. With the approval of Master Plan Amendment 2-20, it will be in conformance.

Transportation:

1. The area will be accessed from Rocky Road, Jennings Way and Wright Way.
2. Jennings Way is classified in the Transportation Component as a minor arterial with it being a major arterial once roadway is connected.
3. Rocky Road is classified as a Residential Collector and Wright Way as a local residential.
4. All three access roads are undeveloped and will be a condition of the future development.

The proposed zone district is compatible with the Transportation Component of the Master Plan and will be consistent with the future transportation infrastructure.

ELKO REDEVELOPMENT PLAN:

The property is not located within the Redevelopment Area.

ELKO WELLHEAD PROTECTION PLAN:

1. The property sits outside any capture zone for the City of Elko wells.

The proposed zone district is in conformance with wellhead protection plan.

SECTION 3-2-4 Establishment of Zoning Districts:

1. 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.
2. 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.
3. 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.
 4. 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 meets the area requirements for the proposed zone district.

The proposed zone district is in conformance with Elko City Code Section 3-2-4(B).

SECTION 3-2-8 – PQP Public, Quasi-Public District

1. As the property develops, it will be required to be in conformance with Section 3-2-8.

The proposed zone district is in conformance with Elko City Code Section 3-2-8.

SECTION 3-2-21:

The application is in conformance with Elko City Code 3-2-21 with the filing of this application.

SECTION 3-8:

The proposed zone district is not located in a designated Special Flood Hazard Area (SFHA).

FINDINGS:

1. The proposed zone district is not in conformance with the Land Use Component of the Master Plan. Master Plan Amendment 2-20 has been initiated and with approval, it will bring the zone amendment into conformance with the Master Plan Land Use Component.
2. The proposed zone district is compatible with the Transportation Component of the Master Plan and is consistent with the future transportation infrastructure.
3. The property is not located within the Redevelopment Area.
4. The proposed zone district and resultant land use is in conformance with City Wellhead Protection Plan.
5. The proposed zone district is in conformance with Elko City Code Section 3-2-4(B).
6. The proposed zone district is in conformance with Elko City Code Section 3-2-8.
7. The application is in conformance with Elko City Code 3-2-21.
8. The proposed zone district is not located in a designated Special Flood Hazard Area (SFHA).

9. Development under the proposed zone district 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.

STAFF RECOMMENDATION:

Staff recommends this item be APPROVED.

Rezone 2-20 City of Elko - Rocky Rd.

YPNO	assess_nam	address1	address2	mcity	mzip
00609J003	AIAZZI STANLEY G & JOYCE L TR	3477 WRIGHT WAY		ELKO, NV	89801-
00161G024	ANDERSON LINCOLN D & RAELYNN M	402 ROLLING HILLS DR		ELKO, NV	89801-2440
00161I085	AQUINO TEODORO & NELIDA E	2754 SHADOW RIDGE DR		ELKO, NV	89801-7920
00609J004	ARANGUENA BRIAN & JENNIFER	696 BURGESS LN		ELKO, NV	89801-4490
00161G010	BELL SHAWN L & NATALYA N TR	3537 RIDGECREST DR		ELKO, NV	89801-2450
00161I090	BHAKTA DIVIESH S & JYOTI	500 W OAK ST		ELKO, NV	89801-2970
00161I088	BURROWS STEPHEN R & CHELSEA E	3726 WRIGHT WAY		ELKO, NV	89801-4400
00161I009	CARSRUD JENNIFER	3715 BRADEN WAY		ELKO, NV	89801-4400
00161E014	CASTENADA JESUS	3513 RIDGECREST DR		ELKO, NV	89801-8490
00161G008	CERVANTES SAUL C	3529 RIDGECREST DR		ELKO, NV	89801-2450
00161G007	CHEAH TEEPIN	3525 RIDGECREST DR		ELKO, NV	89801-2450
00161I089	CONLEY SCOTT P & AMANDA M	3724 WRIGHT WAY		ELKO, NV	89801-
00161I002	CROSSMAN RANDALL	3719 BRADEN WAY		ELKO, NV	89801-4400
00161I012	CRUTCHER ALANA LYNN TR	3711 BRADEN WAY		ELKO, NV	89801-4400
00161I001	CURTIS COLBY B & KATHRYN A TR	3720 WRIGHT WAY		ELKO, NV	89801-4400
00161I072	ELKO CITY OF - <i>NORC</i>	1755 COLLEGE AVE		ELKO, NV	89801-3400
00161G013	ESPINEL RODOLFO	8345 NW 66TH ST PMB A1180		MIAMI, FL	33166-2620
00161I086	FAIMAN CHRISTOPHER S	3729 BRADEN WAY		ELKO, NV	89801-4400
00161I019	FELIX-SAUCEDO RAUL	3707 BRADEN WAY		ELKO, NV	89801-4400
00161E015	FLEURY LAWRENCE L JR & FAYE	3517 RIDGECREST DR		ELKO, NV	89801-8490
00161E018	FRAZIER WHITNEY B & BRANDON	3516 RIDGECREST DR		ELKO, NV	89801
00161I074	GILLESPIE CHRISTINA L & MICHAEL K	392 ROCKY RD		ELKO, NV	89801
00161G009	GILLINS DANIEL D	3533 RIDGECREST DR		ELKO, NV	89801-2450
00161I097	HABERMAN KELSEY & TAYLOR	3726 BRADEN WAY		ELKO, NV	89801
00161G022	HASTING STEPHEN R & BARBARA JO	312 ROLLING HILLS DR		ELKO, NV	89801-
00161E013	HATCH MARGARET E	3509 RIDGECREST DR		ELKO, NV	89801-8490
00161I087	HEBERLEIN ERICA		3727 BRADEN WAY	ELKO, NV	89801-
00161I092	HERNANDEZ RAFAEL JR	3723 BRADEN WAY		ELKO, NV	89801-4400
00161G012	JONES ALAN R & GERALYN T	314 OAKRIDGE DR		ELKO, NV	89801-2440
00161G002	KAISER DAVID E & SALLY J	3527 ENFIELD AVE		ELKO, NV	89801-8480
00161I043	KINTERKNECHT MICHAEL R	KINTERKNECHT, TERRA L	3608 WRIGHT WAY	ELKO, NV	89801-4400
00161I011	LATTIN DANIEL D & PATRICIA	3712 WRIGHT WAY		ELKO, NV	89801-4400
00161E017	LEHMAN IAN W	3520 RIDGECREST DR		ELKO, NV	89801-8490

00161I040	RUSSELL, HERSEL	311 BROOKWOOD RD	ELKO, NV	89801-
00161G023	MANNING SHALENE & RILEY	466 JUNIPER ST #3	ELKO, NV	89801
00161G004	MARIN PABLO & ROSALIE	309 OAKRIDGE DR	ELKO, NV	89801-2440
00609J002	MENDIVE TONI L	PO BOX 2227	ELKO, NV	89803-2220
00161I073	MEZA J ABELINO & MARIA P	396 ROCKY RD	ELKO, NV	89801-
00161I022	NEFF JASON M	310 BROODWOOD DR	ELKO, NV	89801-2300
00161I076	NELSON KEVIN R & CAMMIE L	384 ROCKY RD	ELKO, NV	89801-
00161I091	NIELSON DAVID BOYD TR	3722 WRIGHT WAY	ELKO, NV	89801-4400
00161I093	ORDAZ ARTHUR A & TAMMY L	3722 BRADEN WAY	ELKO, NV	89801-4410
00161I008	PIMENTAL MICHAEL	3716 BRADEN WAY	ELKO, NV	89801-4410
00161I042	PINEDA-MARQUEZ ADRIAN	319 BROOKWOOD RD	ELKO, NV	89801-2300
00161I020	PUCKETT JAMES ROBERT & DARLA ANN	3708 WRIGHT WAY	ELKO, NV	89801
00609J001	REESE LERAY & PATSY TR	425 ROCHE RD	ELKO, NV	89801-8490
00161G025	RIGBY SHARON R	3540 RIDGECREST DR	ELKO, NV	89801-2450
00161G006	SANTTI GLENN L & JULIE A	3524 RIDGECREST DR	ELKO, NV	89801-2450
00101D001	SECTION FIVE ASSOCIATES LLC	C/O MARK PARIS	ELKO, NV	89801-2460
00609J032	SIERRA PACIFIC POWER CO	PO BOX 10100	RENO, NV	89520-0020
00161G011	SIMPSON MARCUS JOHN	3541 RIDGECREST DR	ELKO, NV	89801-2450
00161I041	SONORA LLC	PO BOX 1597	ELKO, NV	89803-1590
00161I096	SPACKMAN DANA	3724 BRADEN WAY	ELKO, NV	89801-4410
00161I010	STITZEL BRANDI ANJULI	3716 WRIGHT WAY	ELKO, NV	89801-
00161I021	SYME SCOTT & MARCELLA	3704 WRIGHT WAY	ELKO, NV	89801-
00161I084	TALAMANTES FRANCISCO J	TALAMANTES, VERONICA	ELKO, NV	89801-4400
006090900	USA	C/O BLM-SUPPORT SERVICES AP	ELKO, NV	89801-4690
00101B001	USA	C/O BLM-SUPPORT SERVICES AP	ELKO, NV	89801-4690
00161G005	VAN KIRK BRUCE & PATRICIA	3528 RIDGECREST DR	ELKO, NV	89801-2450
00161I003	VERA FERNANDO & KARA A	3720 BRADEN WAY	ELKO, NV	89801-4410
00161E016	VORWALLER ROBERT L TR	3521 RIDGECREST DR	ELKO, NV	89801-8490
00161I075	WALL JENNIFER & OWEN	388 ROCKY RD	ELKO, NV	89801
00161I083	WEBB STEVE A & TINA M	3731 BRADEN WAY	ELKO, NV	89801-
00161I082	ZACARIAS PEDRO	369 GARRETT CT	ELKO, NV	89801-8440

215 BLUFFS AVE STE 300

3730 WRIGHT WAY

3900 E IDAHO ST

3900 E IDAHO ST

(62)

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Elko City Planning Commission will conduct a public hearing on Tuesday, August 4, 2020 beginning at 5:30 P.M. P.D.S.T. in the Turquoise Room at the Elko Convention Center, Elko, Nevada, and that the public is invited to provide input and testimony on this matter under consideration in person, by writing, or by representative.

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

- Rezone No. 2-20, filed by the City of Elko, for a change in zoning from AG (General Agriculture) to PQP (Public, Quasi-Public) Zoning District, approximately 38.09 acres of property, specifically APN 001-01A-012, located generally north and south of Rocky Road, approximately 520' west of N. 5th Street, more particularly described as:
A parcel of land being all of Patent from the United States of America to City of Elko, Nevada, Patent Number 27-2006-005, and recorded November 8, 2005, as Document Number 543305, Official Records of Elko County, Nevada, located within the Northeast Quarter of Section 8, Township 34 North, Range 55 East, MDM, being more particularly described as follows:
Beginning at the Northeast corner of said Section 8;
Thence, along the East boundary of said Section 8 South 00°03'18" West a distance of 664.58 feet to the Northeast corner of the NE1/4SE1/4NE1/4NE1/4 of said Section 8;
Thence departing said East boundary along the North boundary of said NE1/4SE1/4NE1/4NE1/4 South 89°37'46" West a distance of 332.86 feet to the Northwest corner of said NE1/4SE1/4NE1/4NE1/4;
Thence departing said North boundary and along the East boundary of the W1/2SE1/4NE1/4NE1/4 South 00°03'04" West a distance of 664.60 feet to the Southeast corner of said W1/2SE1/4NE1/4NE1/4;
Thence departing said East boundary and along the South boundary of the SE1/4SE1/4NE1/4NE1/4 of said Section 8 North 89°37'33" East a distance of 332.82 feet to the Northeast corner of the N1/2NE1/4SE1/4NE1/4 of said Section 8 and being a point of the East boundary of said Section 8;
Thence departing said South boundary and along said East boundary South 00°03'18" West a distance of 332.29 feet to the Southeast corner of said N1/2NE1/4SE1/4NE1/4;
Thence departing said East boundary and along the South boundary of said N1/2NE1/4SE1/4NE1/4 South 89°37'30" West a distance of 665.58 feet to the Southeast corner of the NE1/4NW1/4SE1/4NE1/4 of said Section 8;
Thence departing said South boundary and along the South boundary of said NE1/4NW1/4SE1/4NE1/4 South 89°37'30" West a distance of 332.79 feet to the Southwest corner of said NE1/4NW1/4SE1/4NE1/4;
Thence departing said South boundary and along the West boundary of said NE1/4NW1/4SE1/4NE1/4 North 00°02'34" East a distance of 332.31 feet to the Northwest corner of said NE1/4NW1/4SE1/4NE1/4;

Thence departing said West boundary and along the South boundary of the SW1/4NE1/4NE1/4 of said Section 8 South 89°37'35" West a distance of 332.82 feet to the Southwest corner of said SW1/4NE1/4NE1/4;

Thence departing said South boundary and along the West boundary of said SW1/4NE1/4NE1/4 North 00°02'20" East a distance of 664.64 feet to the Northwest corner of said SW1/4NE1/4NE1/4;

Thence departing said West boundary and along the North boundary of said SW1/4NE1/4NE1/4 North 89°37'46" East a distance of 332.86 feet to the Southwest corner of the E1/2NW1/4NE1/4NE1/4 of said Section 8;

Thence departing said North boundary and along the West boundary of said E1/2NW1/4NE1/4NE1/4 North 00°02'34" East a distance of 664.63 feet to the Northwest corner of said E1/2NW1/4NE1/4NE1/4, also being a point on the North boundary of said Section 8;

Thence departing said West boundary and along said North boundary North 89°37'56" East a distance of 332.91 feet to the Northwest corner of said NE1/4SE1/4NE1/4NE1/4;

Thence continuing along said North boundary North 89°37'56" East a distance of 665.82 feet to the Point of Beginning.

Said parcel contains an area of approximately 38.09 acres.

Basis of Bearings: THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 34 NORTH, RANGE 55 EAST, MDM, TAKEN AS SOUTH 00°03'18" WEST, BEING THE SAME AS NATIONAL SPATIAL REFERENCE SYSTEM 2007 (NSRS2007) EPOCH 2007.00 HOLDING THE NGS APRIL, 2008 PUBLISHED LATITUDE, LONGITUDE AND ELLIPSOID HEIGHT OF N40°51'38.57413", W155°45'09.58441" AND 4047.334 FEET FOR THE CITY OF ELKO CORS.

The intent of the zone change is to allow for the proposed development of a veterans cemetery and other future public uses

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

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

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

July 10, 2020

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

Re: Rezone No. 2-20

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 Rezone No. 2-20, filed by the City of Elko. Please find enclosed a double-sided copy of the application and related site plan for your review and comment.

The subject property consists of approximately 38.09 acres and is located on the north and south side of Rocky Road, West of Wright Way, and East of Jennings Way, as shown on the enclosed map.

Review by the Elko City Planning Commission is scheduled for August 4, 2020.

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

Please feel free to contact me if you have any questions concerning this matter.

Sincerely,

Shelby Archuleta
Planning Technician

Enclosures



CITY OF ELKO PLANNING DEPARTMENT

1751 College Avenue * Elko * Nevada * 89801

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

APPLICATION FOR ZONE CHANGE

APPLICANT(s): City of Elko
MAILING ADDRESS: 1751 College Ave
PHONE NO (Home) _____ (Business) (775) 777-7160
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.: 001-01A-012 Address _____
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 filing fee.

Area Map: A map of the area proposed for this zone change must be provided.

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, distances between buildings, parking and loading areas, driveways and other pertinent information must be provided.

Legal Description: A complete legal description of the boundary of the proposed zone change must be provided as well as a map depicting the area to be changed stating the wording: area to be changed from "x" to "x"; (LI to R, for example).

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 Rezone Application.

RECEIVED

1. Identify the existing zoning classification of the property: General Agriculture
2. Identify the zoning Classification being proposed/requested: Public, Quasi-Public
3. Explain in detail the type and nature of the use anticipated on the property: future
Veterans Cemetery, School,
4. Explain how the proposed zoning classification relates with other zoning classifications in the area:
5. Identify any unique physical features or characteristics associated with the property:

(Use additional pages if necessary to address questions 3 through 5)

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 City of Elko
(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: _____

SIGNATURE: Cathy Layton

FOR OFFICE USE ONLY

File No.: 2-20 Date Filed: 7/8/20 Fee Paid: N/A



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

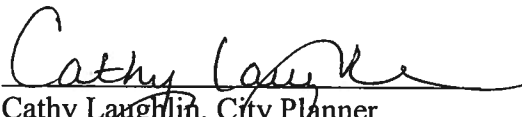
CITY OF ELKO PLANNING COMMISSION ACTION REPORT Regular Meeting of July 7, 2020

WHEREAS, the following item was reviewed and considered by the Elko City Planning Commission on July 7, 2020 per City Code Sections 3-2-21:

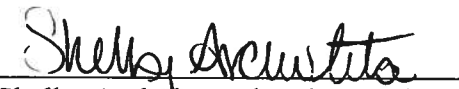
Initiate an amendment to the City of Elko district boundaries, specifically APN 001-01A-012, removing the AG-General Agriculture Zoning District and replacing with the PQP-Public, Quasi-Public District, and matters related thereto. FOR POSSIBLE ACTION

Elko City Code Section 3-2-21 allows the Planning Commission to initiate on its own motion a change to the district boundaries. The City of Elko owns the parcel and the VA is proposing to purchase a portion of the property for a future VA Cemetery. This amendment, initiated by the Planning Commission, if approved, will bring back the zone amendment as a public hearing to rezone the parcel from AG-General Agriculture to PQP- Public Quasi-Public.

WHEREAS, the Planning Commission, upon review and consideration of the application and supporting data, public input and testimony, initiate an amendment to the City of Elko district boundaries, and direct staff to bring the item back as a public hearing.


Cathy Laughlin, City Planner

Attest:


Shelby Archuleta, Planning Technician

CC: Michele Rambo, Development Manager (via email)
Kelly Wooldridge, City Clerk

APN 001-01A-012
LEGAL DESCRIPTION

A parcel of land being all of Patent from the United States of America to City of Elko, Nevada, Patent Number 27-2006-005, and recorded November 8, 2005, as Document Number 543305, Official Records of Elko County, Nevada, located within the Northeast Quarter of Section 8, Township 34 North, Range 55 East, MDM, being more particularly described as follows:

Beginning at the Northeast corner of said Section 8;

thence along the East boundary of said Section 8 South 00°03'18" West a distance of 664.58 feet to the Northeast corner of the NE1/4SE1/4NE1/4 of said Section 8;

thence departing said East boundary along the North boundary of said NE1/4SE1/4NE1/4 South 89°37'46" West a distance of 332.86 feet to the Northwest corner of said NE1/4SE1/4NE1/4;

thence departing said North boundary and along the East boundary of the W1/2SE1/4NE1/4NE1/4 South 00°03'04" West a distance of 664.60 feet to the Southeast corner of said W1/2SE1/4NE1/4NE1/4;

thence departing said East boundary and along the South boundary of the SE1/4SE1/4NE1/4NE1/4 of said Section 8 North 89°37'35" East a distance of 332.82 feet to the Northeast corner of the N1/2NE1/4SE1/4NE1/4 of said Section 8 and being a point on the East boundary of said Section 8;

thence departing said South boundary and along said East boundary South 00°03'18" West a distance of 332.29 feet to the Southeast corner of said N1/2NE1/4SE1/4NE1/4;

thence departing said East boundary and along the South boundary of said N1/2NE1/4SE1/4NE1/4 South 89°37'30" West a distance of 665.58 feet to the Southeast corner of the NE1/4NW1/4SE1/4NE1/4 of said Section 8;

thence departing said South boundary and along the South boundary of said NE1/4NW1/4SE1/4NE1/4 South 89°37'30" West a distance of 332.79 feet to the Southwest corner of said NE1/4NW1/4SE1/4NE1/4;

thence departing said South boundary and along the West boundary of said NE1/4NW1/4SE1/4NE1/4 North 00°02'34" East a distance of 332.31 feet to the Northwest corner of said NE1/4NW1/4SE1/4NE1/4;

thence departing said West boundary and along the South boundary of the SW1/4NE1/4NE1/4 of said Section 8 South 89°37'35" West a distance of 332.82 feet to the Southwest corner of said SW1/4NE1/4NE1/4;

thence departing said South boundary and along the West boundary of said SW1/4NE1/4NE1/4 North 00°02'20" East a distance of 664.64 feet to the Northwest corner of said SW1/4NE1/4NE1/4;

thence departing said West boundary and along the North boundary of said SW1/4NE1/4NE1/4 North 89°37'46" East a distance of 332.86 feet to the Southwest corner of the E1/2NW1/4NE1/4NE1/4 of said Section 8;

thence departing said North boundary and along the West boundary of said E1/2NW1/4NE1/4NE1/4 North 00°02'34" East a distance of 664.63 feet to the Northwest corner of said E1/2NW1/4NE1/4NE1/4, also being a point on the North boundary of said Section 8;

thence departing said West boundary and along said North boundary North 89°37'56" East a distance of 332.91 feet to the Northwest corner of said NE1/4SE1/4NE1/4NE1/4;

thence continuing along said North boundary North 89°37'56" East a distance of 665.82 feet to the Point of Beginning.

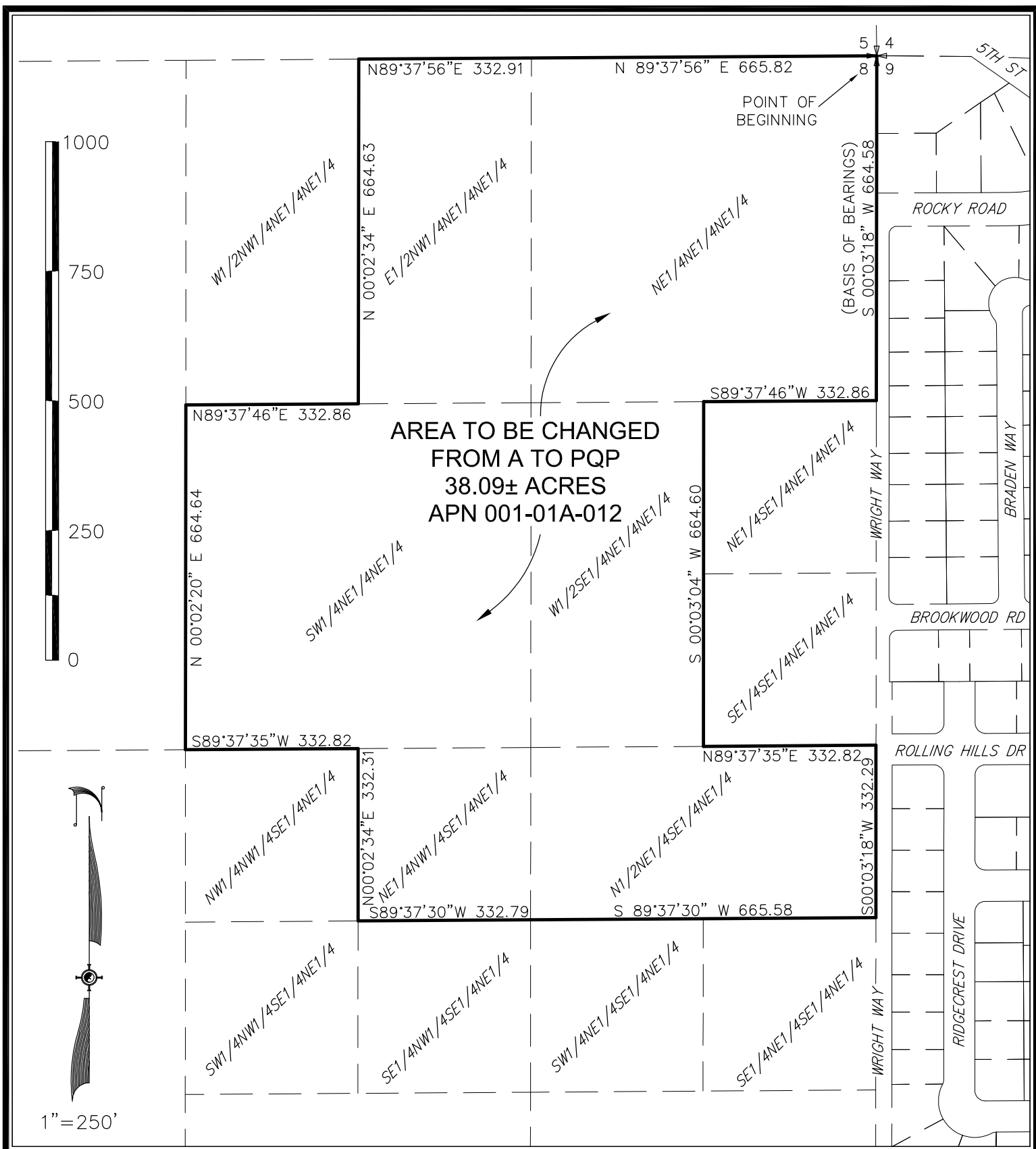
Said parcel contains an area of approximately 38.09 acres.

Basis of Bearings: THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 34 NORTH, RANGE 55 EAST, MDM, TAKEN AS SOUTH 00°03'18" WEST, BEING THE SAME AS NATIONAL SPATIAL REFERENCE SYSTEM 2007 (NSRS2007) EPOCH 2007.00 HOLDING THE NGS APRIL, 2008 PUBLISHED LATITUDE, LONGITUDE AND ELLIPSOID HEIGHT OF N40° 51' 38.57413", W115° 45' 09.58441" AND 5047.334 FEET FOR THE CITY OF ELKO CORS.

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

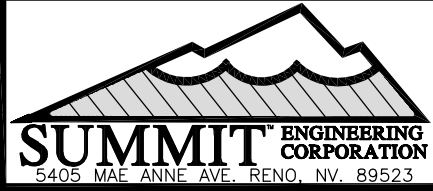


6-23-2020



**DISPLAY MAP FOR
ZONE CHANGE
APN 001-01A-012**

SCALE 1"=250'



SHEET
1
OF
1

**Elko City Planning Commission
Agenda Action Sheet**

1. **Review, consideration and possible recommendation to City Council for Rezone No. 3-20, filed by Elko Institute for Academic Achievement, for a change in zoning from CT (Commercial Transitional) to PQP (Public, Quasi-Public) Zoning District, approximately 11.38 acres of property, to allow for the development of a school, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **August 4, 2020**
3. Agenda Category: **PUBLIC HEARINGS,**
4. Time Required: **15 Minutes**
5. Background Information: **This rezone would allow for the future development of a charter school.**
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 approves Rezone No. 3-20 based on facts and findings as presented in Staff Report dated July 21, 2020.**
9. Findings: **See Staff Report dated July 21, 2020**
10. Prepared By: **Cathy Laughlin, City Planner**
11. Agenda Distribution: **Elko Institute for Academic Achievement
Attn: Lori Lynch
1031 Railroad Street, Suite 107
Elko, NV 89801
llynch@eiaany.net**

STAFF COMMENT FLOW SHEET
PLANNING COMMISSION AGENDA DATE: 8/4

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

Title: Rezone No. 3-20
Applicant(s): Elko Institute for Academic Achievement
Site Location: APN 001-620-058, NE Corner of College Pkwy + Ruby Vista
Current Zoning: CT Date Received: 7/7 Date Public Notice: 7/21
COMMENT: This is to rezone APN 001-620-058 from
Commercial Transitional to Public, Quasi-Public.

If additional space is needed please provide a separate memorandum

Assistant City Manager: Date: 7/27/20
Recommend approval as presented by
staff

SAW

Initial

City Manager: Date: 7/29/20
No comments/concerns.

CC

Initial



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

CITY OF ELKO STAFF REPORT

MEMO DATE: July 21, 2020
PLANNING COMMISSION DATE: August 4, 2020
APPLICATION NUMBER: REZONE 3-20
APPLICANT: Elko Institute for Academic Achievement
PROJECT DESCRIPTION:

A rezone from (CT) Commercial Transitional to (PQP) Public, Quasi-Public.



STAFF RECOMMENDATION:

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

PROJECT INFORMATION

PARCEL NUMBER: 001-620-058

PARCEL SIZE: 9.78 acres

EXISTING ZONING: CT- Commercial Transitional

MASTER PLAN DESIGNATION: (RES- HD) Residential High Density

EXISTING LAND USE: Undeveloped

NEIGHBORHOOD CHARACTERISTICS:

-) The property is surrounded by:
 -) North: Residential / Developed
 -) West: PQP / Developed
 -) South: PQP / Partially developed
 -) East: PQP / Undeveloped

PROPERTY CHARACTERISTICS:

-) The area is currently undeveloped.
-) The area has moderate sloping.
-) The area is accessed from Ruby Vista Drive and College Parkway

MASTER PLAN AND CITY CODE SECTIONS:

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 Wellhead Protection Plan
-) City of Elko Zoning – Section 3-2-4 Establishment of Zoning Districts
-) City of Elko Zoning – Section 3-2-8 Public, Quasi-Public Zoning Districts
-) City of Elko Zoning – Section 3-2-21 Amendments
-) City of Elko Zoning – Section 3-8 Flood Plain Management

BACKGROUND:

1. The property was sold by the City of Elko to the United Methodist Church in 1992. There was a deed restriction on the property that stated the following:
Subject to a restrictive covenant running with the land, specifically restricting and preventing the use of the above real property for multiple family residential developments, including, but not limited to, duplexes, triplexes, fourplexes, townhouses, apartment buildings, motels and hotels. This conveyance is made and accepted on the express condition that the conveyed property is subject to this restrictive covenant.
2. The applicant purchased the property on March 3, 2020.

MASTER PLAN:

Land use:

1. Master Plan Land Use is shown as High Density Residential.
2. PQP is not a supporting zoning district for high density residential, nor will high density residential be allowed with the deed restriction listed in the background.
3. An amendment to the Master Plan can be initiated by the Planning Commission to designate the land use as public if the zone amendment is approved.
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.

The proposed zone district is not in conformance with the Land Use Component of the Master Plan.

Transportation:

1. The area will be accessed from Ruby Vista Dr. and College Parkway.
2. Ruby Vista Drive is classified in the Transportation Component as a minor arterial.
3. College Parkway is classified as a Commercial / Industrial Collector.
4. There currently is pedestrian access along both frontages.
5. Due to the high traffic at the intersection of the two roadways and the classification of Ruby Vista Dr. the access into the parcel will have to be designed further away from intersection.

The proposed zone district is compatible with the Transportation Component of the Master Plan and will be consistent with the future transportation infrastructure.

ELKO REDEVELOPMENT PLAN:

The property is not located within the Redevelopment Area.

ELKO WELLHEAD PROTECTION PLAN:

1. The property sits inside the 30 year capture zone for the City of Elko wells.

The proposed zone district and proposed use for the property is in conformance with wellhead protection plan.

SECTION 3-2-4 Establishment of Zoning Districts:

1. 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.
2. 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.
3. 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.
 4. 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 meets the area requirements for the proposed zone district.

The proposed zone district is in conformance with Elko City Code Section 3-2-4(B).

SECTION 3-2-8 – PQP Public, Quasi-Public District

1. As the property develops, it will be required to be in conformance with Section 3-2-8.

The proposed zone district is in conformance with Elko City Code Section 3-2-8.

SECTION 3-2-21:

The application is in conformance with Elko City Code 3-2-21 with the filing of this application.

SECTION 3-8:

The proposed zone district is not located in a designated Special Flood Hazard Area (SFHA).

FINDINGS:

1. The proposed zone district is not in conformance with the Land Use Component of the Master Plan.
2. The proposed zone district is compatible with the Transportation Component of the Master Plan and is consistent with the future transportation infrastructure.
3. The property is not located within the Redevelopment Area.
4. The proposed zone district and resultant land use is in conformance with City Wellhead Protection Plan.
5. The proposed zone district is in conformance with Elko City Code Section 3-2-4(B).
6. The proposed zone district is in conformance with Elko City Code Section 3-2-8.
7. The application is in conformance with Elko City Code 3-2-21.
8. The proposed zone district is not located in a designated Special Flood Hazard Area (SFHA).

9. Development under the proposed zone district 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.

STAFF RECOMMENDATION:

Staff recommends this item be **CONDITIONALLY APPROVED** with the following conditions:

1. E.I.A.A. to be actively engaged in developing the property as a school within 2 years after date of approval. Resolution will not be signed by mayor until E.I.A.A. is actively engaged in development.
2. Conditional Use Permit must be approved for the establishment of a new principal permitted use and shall be governed by the conditional use permit procedure as set forth in Elko City Code 3-2-18.

Rezone 3-20 EIAA

YPNO	assess_nam	address1	address2	mcity	mzip
001553001	ANDERSON SCOTT K & MARIA E	1200 FAIRWAY DR		ELKO, NV	89801-2510
001552007	BRIGGS CHARLES L & PATRICIA A	1275 FAIRWAY DR		ELKO, NV	89801-2510
001552012	BYRNES KATHRYN E & JULIE G	1213 FAIRWAY DR		ELKO, NV	89801-2510
001553008	CALL ROBERT LOUIS TR	1290 FAIRWAY DR		ELKO, NV	89801-2510
001831001	DIXSON JOHN & JAMIE	3108 COLLEGE CT		ELKO, NV	89801-2580
001551011	DROZD ANDREW A	1226 FAIRWAY DR		ELKO, NV	89801-5020
001553003	DROZD MICHAEL A	1226 FAIRWAY DR		ELKO, NV	89801-2510
001620069	ELKO CITY OF	1755 COLLEGE AVE		ELKO, NV	89801-
001620061	ELKO CITY OF	1755 COLLEGE AVE		ELKO, NV	89801-
001620060	ELKO CITY OF	1755 COLLEGE AVE		ELKO, NV	89801-
001620059	ELKO CITY OF	1755 COLLEGE AVE		ELKO, NV	89801-
001620021	ELKO CITY OF	1755 COLLEGE AVE		ELKO, NV	89801-
001620015	ELKO CITY OF	1755 COLLEGE AVE		ELKO, NV	89801-
001620035	ELKO CITY OF	1755 COLLEGE AVE		ELKO, NV	89801-
001834004	FAGOAGA JOSE A & GINA D TR	3144 COLLEGE CT		ELKO, NV	89801-2580
001834002	GREENWELL RANDY N & HARRIET N	3122 COLLEGE CT		ELKO, NV	89801-2580
001834003	GROSS DONOVAN H & SUSAN E TR	3136 COLLEGE CT		ELKO, NV	89801-2580
001553006	KNAST LEONARD H TR	1262 FAIRWAY DR		ELKO, NV	89801-2510
001552008	LIPPARELLI MATTHEW H& TERESA J	462 IDAHO ST		ELKO, NV	89801-3710
001552009	LUSAR JOHN DAMON & VICKI H TR	1251 FAIRWAY DR		ELKO, NV	89801-2510
001553007	MATTHEWS RICHARD J & BROOKE A	1274 FAIRWAY DR		ELKO, NV	89801-2510
001834016	MOIOLA MAITE T	3125 COLLEGE CT		ELKO, NV	89801
001553005	PEARSON BRETT L & BARBARA A	1250 FAIRWAY DR		ELKO, NV	89801-2510
001552013	POST DUSTIN W	1201 FAIRWAY DR		ELKO, NV	89801-2510
001553009	SALICCHI CEASAR E TR	191 SKYLINE DR		ELKO, NV	89801-5020
001553010	SALICCHI CEASAR E TR	191 SKYLINE DR		ELKO, NV	89801-5020
001552010	SHURTZ ROY & LISA P	1239 FAIRWAY DR		ELKO, NV	89801-2510
001832001	STEWART DANIEL D	1161 MITTRY AVE		ELKO, NV	89801-
001553004	TAYLOR KATHLEEN A TR	1238 FAIRWAY DR		ELKO, NV	89801-2510
001553002	URIARTE CONNIE RAE	1212 FAIRWAY DR		ELKO, NV	89801-2560
00609D001	US DEPT OF THE INTERIOR BUR OF	C/O BLM	3900 E IDAHO ST	ELKO, NV	89801-4690
001552011	WORLINE CORTNEY J & ANITA	501 OAK ST		ELKO, NV	89801-3550

23

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Elko City Planning Commission will conduct a public hearing on Tuesday, August 4, 2020 beginning at 5:30 P.M. P.D.S.T. in the Turquoise Room at the Elko Convention Center, Elko, Nevada, and that the public is invited to provide input and testimony on this matter under consideration in person, by writing, or by representative.

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

- Rezone No. 3-20, filed by Elko Institute for Academic Achievement, for a change in zoning from CT (Commercial Transitional) to PQP (Public, Quasi-Public) Zoning District, approximately 11.38 acres of property, specifically APN 001-620-058, located generally on the northeast corner of the intersection of College Avenue and Ruby Vista Drive, more particularly described as:
 - A parcel of land being all of Parcel 1 of the Parcel Map for The City of Elko, File No. 321969, recorded June 9, 1992, Official Records of Elko County, Nevada, and portions of Skyline Drive, Ruby Vista Drive, College Parkway, and Mittry Avenue, located within the Southwest Quarter of Section 10, Township 34 North, Range 55 East, MDM, being more particularly described as follows:
 - Beginning at the Center West 1/16 corner of said Section 10 as shown on Parcel Map 419965, of said Official Records, also being a point on the Northerly right-of-way of Mittry Avenue, from which West Quarter corner of said Section 10 bears South 89°07'10" West a distance of 1302.72 feet;
 - Thence along said Northerly right-of-way North 89°08'48" East a distance of 40.00 feet to the Northwest corner of said Parcel 1;
 - Thence along the North boundary of said Parcel 1 North 89°08'48" East a distance of 1212.55 feet to the Northeast corner of said Parcel 1;
 - Thence along the South boundary of Ruby View Heights Subdivision, File No. 17686, of said Official Records, North 89°08'48" East a distance of 25.00 feet to the centerline of Skyline Drive;
 - Thence departing said South boundary and along said centerline from a tangent which bears South 00°23'12" East, along a circular curve to the left with a radius of 226.55 feet and a central angle of 11°00'32" an arc length of 43.53 feet to the centerline intersection of Ruby Vista Drive as shown on said Parcel Map 321969;
 - Thence along the centerline of Ruby Vista Drive with a non-tangent line South 78°36'21" West a distance of 71.40 feet;
 - Thence along a tangent circular curve to the left with a radius of 500.00 feet and a central angle of 34°45'12" an arc length of 303.28 feet;
 - Thence South 43°51'09" West a distance of 239.46 feet;
 - Thence along a tangent circular curve to the right with a radius of 500.00 feet and a central angle of 22°05'02" an arc length of 192.72 feet;
 - Thence South 65°56'11" West a distance of 169.87 feet;
 - Thence along a tangent circular curve to the right with a radius of 500.00 feet and a central angle of 24°03'49" an arc length of 209.99 feet;
 - Thence South 90°00'00" West a distance of 267.11 feet to the centerline intersection of College Parkway;

Thence departing the centerline of Ruby Vista Drive and along the centerline of College Parkway North $00^{\circ}08'30''$ West a distance of 497.05 feet;
Thence departing said centerline North $00^{\circ}08'30''$ West a distance of 80.52 feet to the Point of Beginning.

Said Parcel contains an area of approximately 11.38 acres.

Basis of Bearings: Identical to Parcel Map for The City of Elko, File NO. 321969, recorded June 9, 1992, Official Records of Elko County, Nevada, stated as being "The Southerly line of College Park Subdivision Unit No. 1 taken as $S89^{\circ}07'10''W$ as shown on the Official Plat of College Park Subdivision Unit No. 1, filed in the Office of the Elko County Recorder as File No. 134926.

The intent of the zone change is to allow for the development of a school.

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 ZONE CHANGE

775 750-7841

APPLICANT(s):	Elko Institute for Academic Achievement		
MAILING ADDRESS:	1031 Railroad, Suite 107		
PHONE NO (Home)	775-738-3422	(Business)	
NAME OF PROPERTY OWNER (If different):	same		
(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.:	001-620-058	Address	College Parkway
Lot(s), Block(s), & Subdivision			
Or Parcel(s) & File No.	PARCEL 1 FILE 321969, LOCATED IN, MDB&M		

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 filing fee.

Area Map: A map of the area proposed for this zone change must be provided.

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, distances between buildings, parking and loading areas, driveways and other pertinent information must be provided.

Legal Description: A complete legal description of the boundary of the proposed zone change must be provided as well as a map depicting the area to be changed stating the wording: area to be changed from "x" to "x"; (LI to R, for example).

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 Rezone Application.

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1. Identify the existing zoning classification of the property: CT- Commercial Transitional

2. Identify the zoning Classification being proposed/requested: PQP- Public-Quasi Public

3. Explain in detail the type and nature of the use anticipated on the property:

The property will be used for an Elementary/Middle School combination.

4. Explain how the proposed zoning classification relates with other zoning classifications in the area: All surrounding properties are currently zoned PQP with the exception of this parcel.

With the intended use to be a school, we would need to rezone this parcel to the appropriate PQP which is the appropriate zoning for this use.

5. Identify any unique physical features or characteristics associated with the property:

There are no unique physical features or characteristics with this property.

(Use additional pages if necessary to address questions 3 through 5)

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

Lori Lynch

(Please print or type)

Mailing Address

1031 Railroad St. Ste 107

Street Address or P.O. Box

Elko, NV 89801

City, State, Zip Code

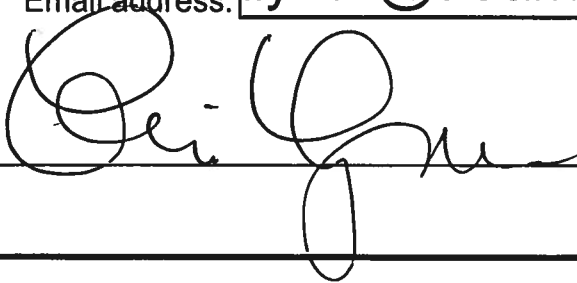
Phone Number:

775-738-3422

Email address:

llynch@eiaanv.net

SIGNATURE:



FOR OFFICE USE ONLY

File No.: 3-20 Date Filed: 7/7/20 Fee Paid: \$500 cr# 6705

Introduction

Site Description, Location, and Legal Description

The subject site consists 9.78 acres which contains vacant commercial land in Elko, Nevada. The property is located in the southwest $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of Section 10, Township 34 North, and Range 55 East. The site's Assessor Parcel Number (APN) is 001-620-058. This Phase I – Environmental Site Assessment addresses the 9.78 acres in Elko, Nevada.

Purpose

This report presents the results of a Phase I – Environmental Site Assessment for the 9.78 acres in Elko, Nevada. The purpose of this Phase I – Environmental Site Assessment is to identify, to a feasible extent, recognized environmental conditions in connection with the property and to evaluate the potential for environmental contamination of the property by hazardous substances as a result of the storage, use and/or disposal of such substances on or near the site. The location of the property is shown on the Vicinity Map and the Site Map, Plate 1 and 2 respectively (Appendix A).

Scope of Services

The scope of services for this Phase I – Environmental Site Assessment includes:

- A site and area reconnaissance with particular attention to potential sources of impact to the site.
- A review of available site plans, parcel maps, zoning/land use records, and property tax records to determine past land uses and to identify any source of environmental impact to the site.
- A review of the history of the site through examination of available aerial photographs (both current and historical) to identify land uses on the site and adjacent parcels and to evaluate the possibilities of prior contamination.
- Interviews with individuals having specific information pertaining to local records and/or state files.
- A review of published topographic and geologic maps for any evidence that could contribute to the presence of hazardous substances or petroleum products.
- A review of both State and Federal environmental information lists of known sites, which contain environmental conditions, and/or generators of hazardous wastes near the site.

This report provides information on potential environmental hazards within a 1-mile maximum search distance of the site and presents our findings and conclusions regarding the potential for recognized environmental conditions on the site. This report does not address issues such as lead-based paint, lead in drinking water, wetlands, regulatory

Property Information

Parcel ID 001-620-058
Tax Year 2020 ▾
Land Use Group VAC
Land Use 140 - Vacant - Commercial
Zoning ZCT
Tax District 110
Site Address COLLEGE PKWY ELKO CITY

Parcel Acreage 9.7800
Assessed Value 205,380

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No Sketches or Photos

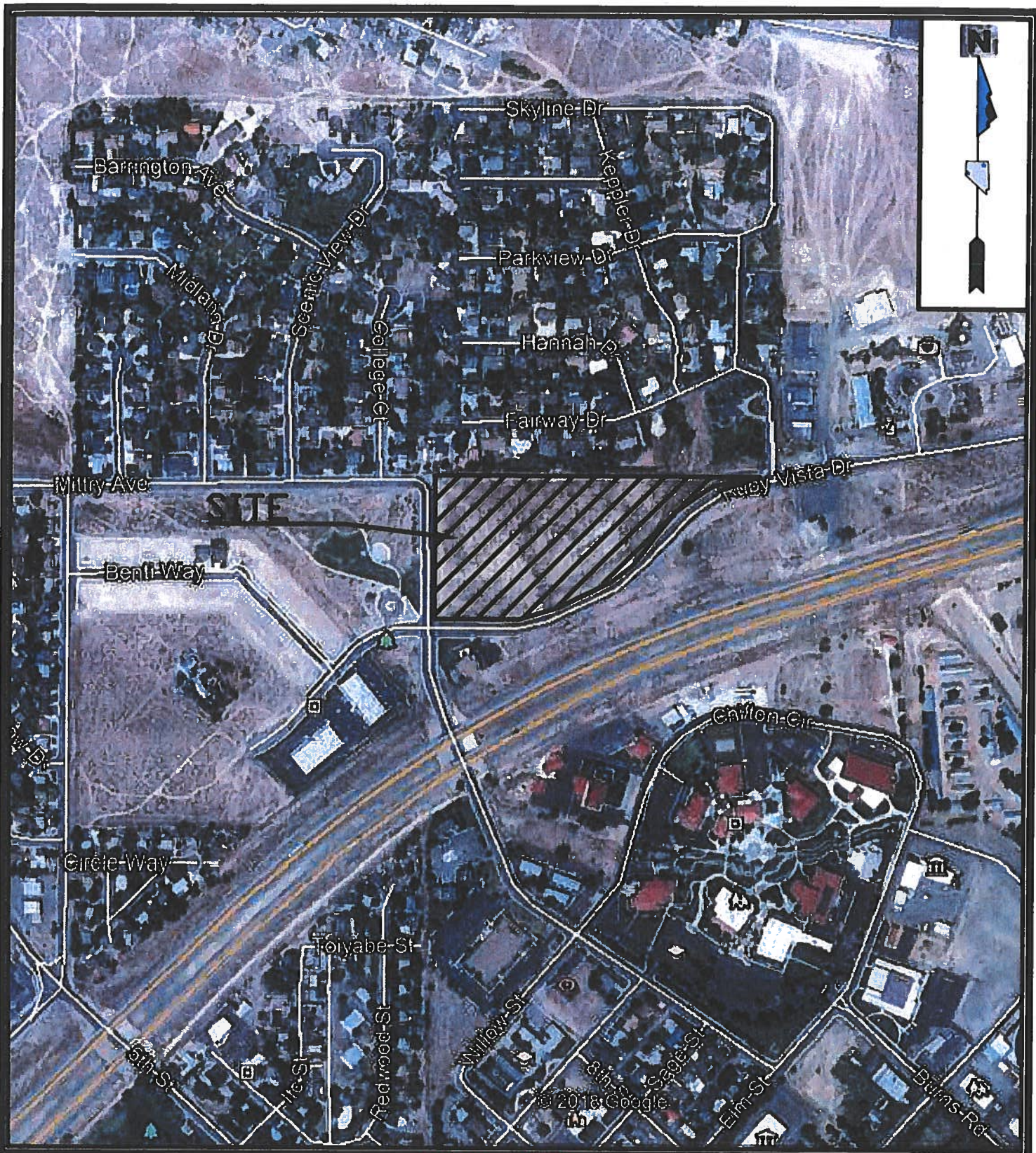
Assessments

Taxable Value	Land	Building	Per. Property	Totals
Residential	586,800	0	0	586,800
Com / Ind.	0	0	0	0
Agricultural	0	0	0	0
Exempt	0	0	0	0
Pers. Exempt				0
Total	586,800	0	0	586,800
Assessed Value	Land	Building	Per. Property	Totals
Residential	205,380	0	0	205,380
Com / Ind.	0	0	0	0
Agricultural	0	0	0	0
Exempt	0	0	0	0
Pers. Exempt				0
Total	205,380	0	0	205,380
	New Land	New Const.	New P.P.	Omit Bldg
Residential	0	0	0	0
Com / Ind.	0	0	0	0
Agricultural	0	0	0	0
Exempt	0	0	0	0
Totals	0	0	0	0

Assessor Descriptions

Assessor Descriptions	Subdivision Name	Section	Township	Range	Block	Lot
PARCEL 1 FILE 321969, LOCATED IN, MDB&M		10	34N	55E		
PARCEL 1 FILE 321969 LOCATED IN 10 34N 55E MDB&M						

No Personal Exemptions



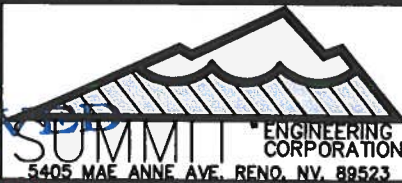
VICINITY MAP
APN: 001-620-058
ELKO, NEVADA

JOB NO.: 82490

APPR BY: JKG

DRAWN BY: MC

Copyright SUMMIT ENG 2019

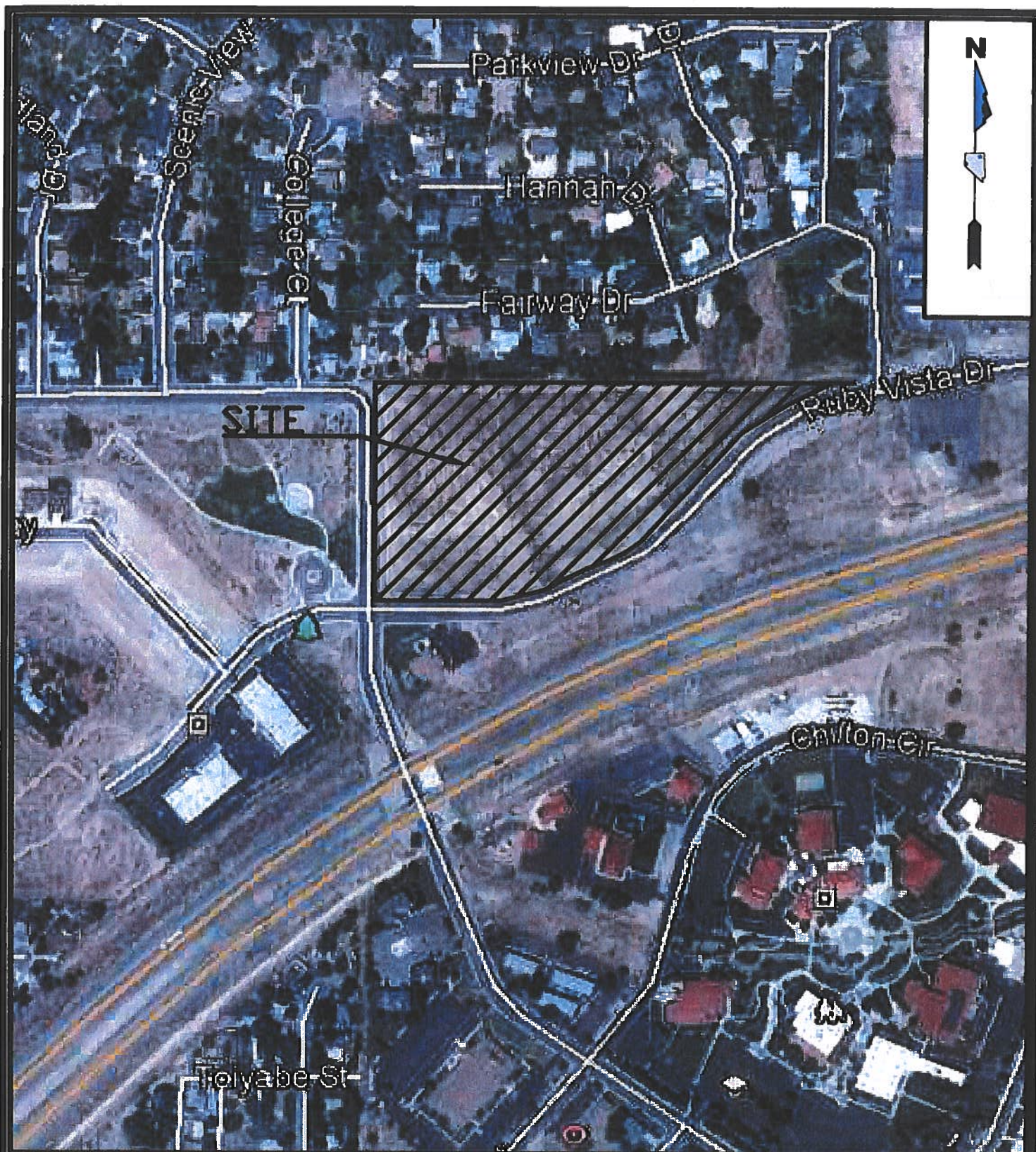


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*N:\DWGS\J82490_Elko\Institute for Academic Achievement\Site & Vicinity_Maps

JUL 07 2020



SITE MAP
APN: 001-620-058
ELKO, NEVADA

JOB NO.: 82490
 APPR BY: JKG
 DRAWN BY: MC
 Copyright SUMMIT ENG 2019

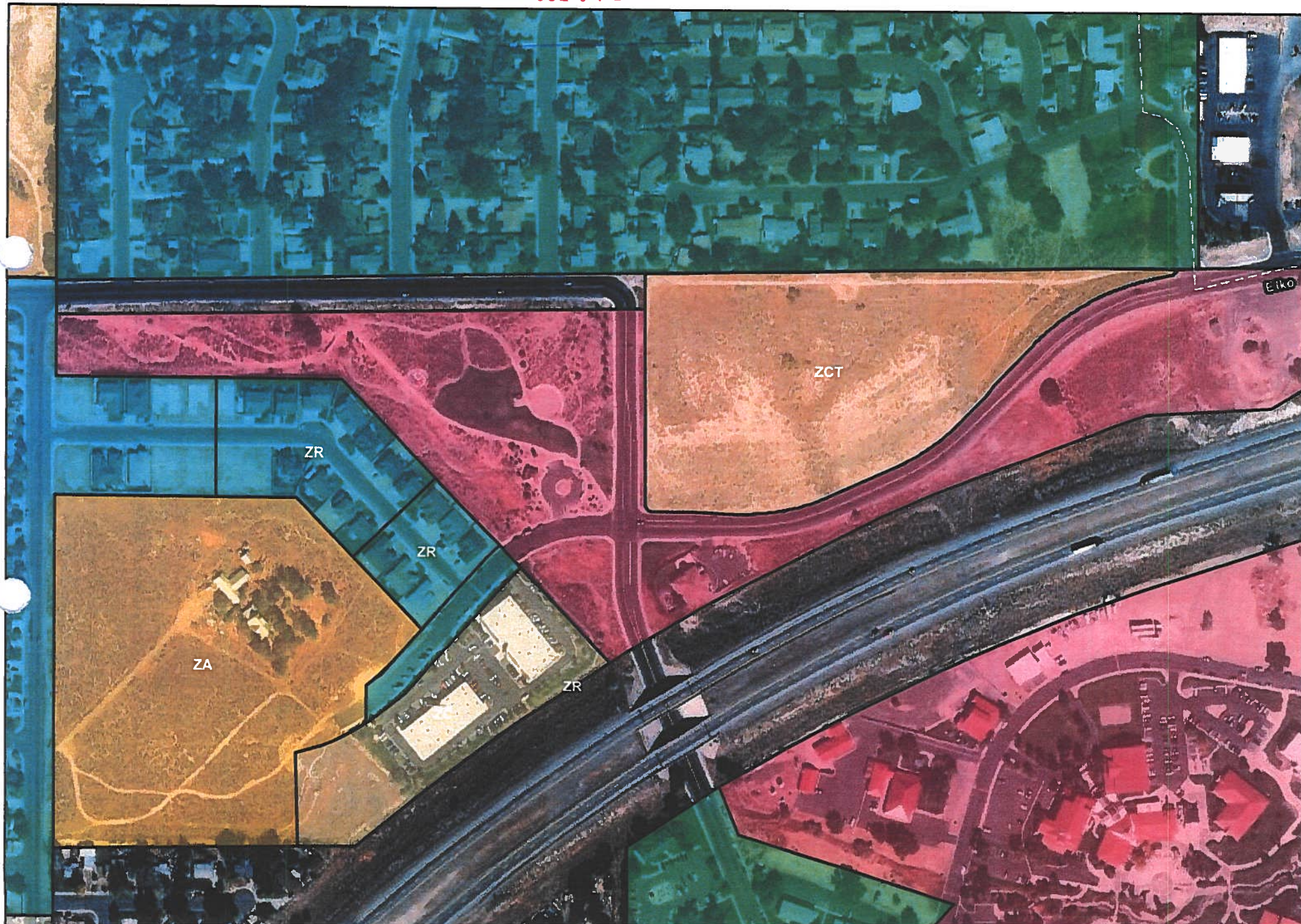


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JUL 07 2020

City of Elko Zoning Map



APN 001-620-058 AND PORTIONS OF
SKYLINE DRIVE, RUBY VISTA DRIVE, COLLEGE PARKWAY, & MITTRY AVENUE
LEGAL DESCRIPTION

A parcel of land being all of Parcel 1 of the Parcel Map for The City of Elko, File No. 321969, recorded June 9, 1992, Official Records of Elko County, Nevada, and portions of Skyline Drive, Ruby Vista Drive, College Parkway, and Mittry Avenue, located within the Southwest Quarter of Section 10, Township 34 North, Range 55 East, MDM, being more particularly described as follows:

Beginning at the Center West 1/16 corner of said Section 10 as shown on Parcel Map 419965, of said Official Records, also being a point on the Northerly right-of-way of Mittry Avenue, from which West Quarter corner of said Section 10 bears South 89°07'10" West a distance of 1302.72 feet;
thence along said Northerly right of way North 89°08'48" East a distance of 40.00 feet to the Northwest corner of said Parcel 1;
thence along the North boundary of said Parcel 1 North 89°08'48" East a distance of 1212.55 feet to the Northeast corner of said Parcel 1;
thence along the South boundary of Ruby View Heights Subdivision, File No. 17686, of said Official Records, North 89°08'48" East a distance of 25.00 feet to the centerline of Skyline Drive;
thence departing said South boundary and along said centerline from a tangent which bears South 00°23'12" East, along a circular curve to the left with a radius of 226.55 feet and a central angle of 11°00'32" an arc length of 43.53 feet to the centerline intersection of Ruby Vista Drive as shown on said Parcel Map 321969;
thence along the centerline of Ruby Vista Drive with a non-tangent line South 78°36'21" West a distance of 71.40 feet;
thence along a tangent circular curve to the left with a radius of 500.00 feet and a central angle of 34°45'12" an arc length of 303.28 feet;
thence South 43°51'09" West a distance of 239.46 feet;
thence along a tangent circular curve to the right with a radius of 500.00 feet and a central angle of 22°05'02" an arc length of 192.72 feet;
thence South 65°56'11" West a distance of 169.87 feet;
thence along a tangent circular curve to the right with a radius of 500.00 feet and a central angle of 24°03'49" an arc length of 209.99 feet;
thence South 90°00'00" West a distance of 267.11 feet to the centerline intersection of College Parkway;
thence departing the centerline of Ruby Vista Drive and along the centerline of College Parkway North 00°08'30" West a distance of 497.05 feet;
thence departing said centerline North 00°08'30" West a distance of 80.52 feet to the Point of Beginning.

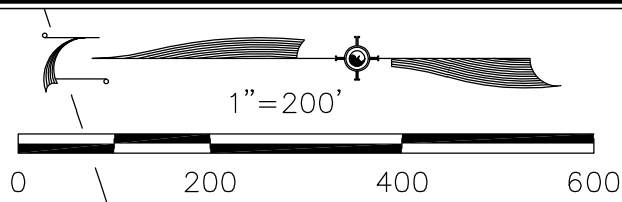
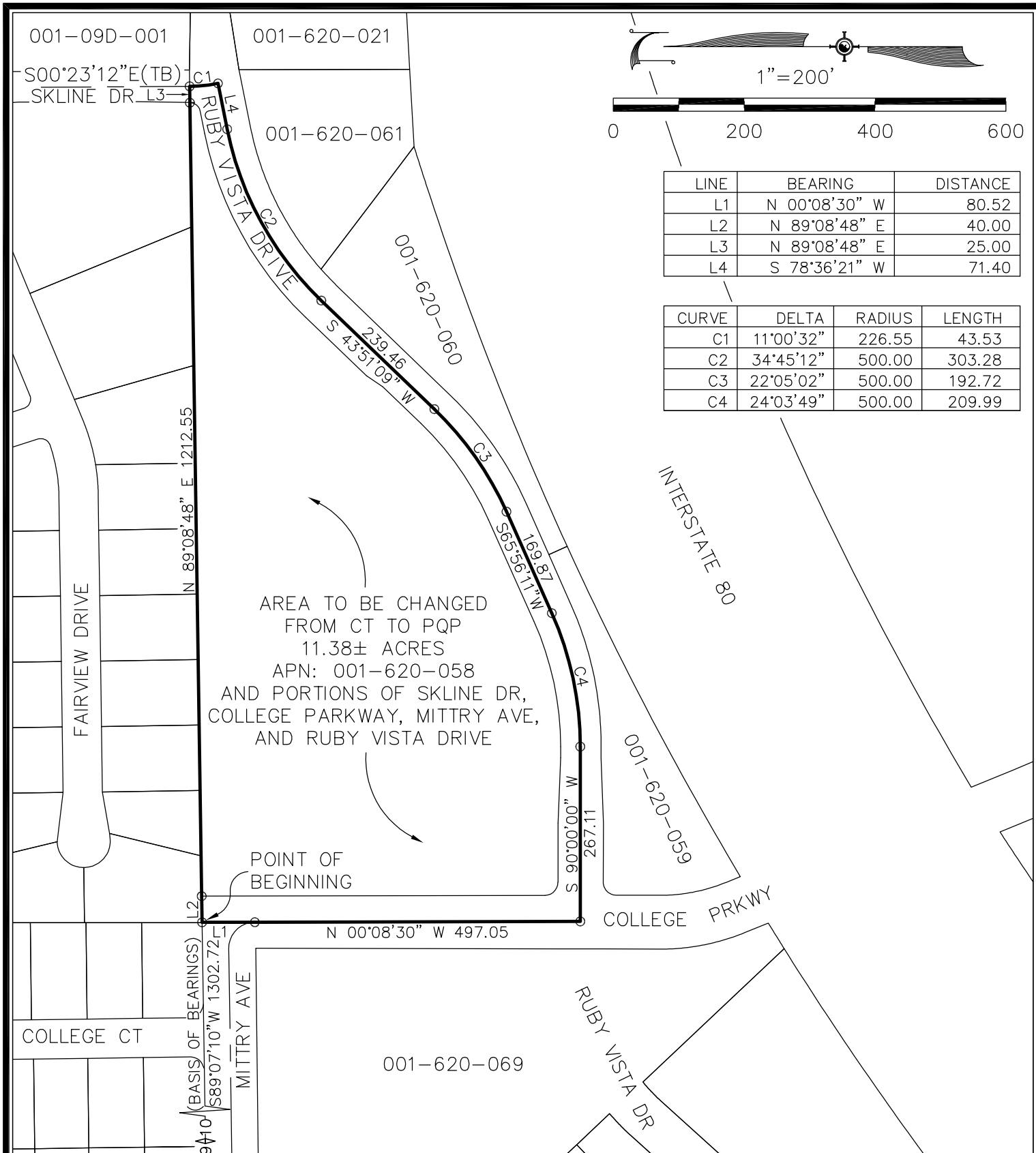
Said parcel contains an area of approximately 11.38 acres.

Basis of Bearings: Identical to Parcel Map for The City of Elko, File No. 321969, recorded June 9, 1992, Official Records of Elko County, Nevada, stated as being "The Southerly line of College

Park Subdivision Unit No. 1 taken as S89°07'10"W as shown on the Official Plat of College Park Subdivision Unit No. 1, filed in the Office of the Elko County Recorder as File No. 134926.

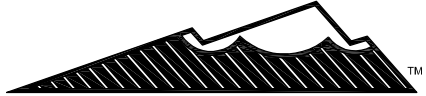
Description Prepared By:
Ryan G. Cook, PLS 15224
Summit Engineering Corporation
5405 Mae Anne Ave.
Reno, NV 89523
775-747-8550





LINE	BEARING	DISTANCE
L1	N 00°08'30" W	80.52
L2	N 89°08'48" E	40.00
L3	N 89°08'48" E	25.00
L4	S 78°36'21" W	71.40

CURVE	DELTA	RADIUS	LENGTH
C1	11°00'32"	226.55	43.53
C2	34°45'12"	500.00	303.28
C3	22°05'02"	500.00	192.72
C4	24°03'49"	500.00	209.99

DISPLAY MAP FOR ZONE CHANGE APN 001-620-058	SCALE 1"=200'	 SUMMIT ENGINEERING CORPORATION 1150 LAMOILLE HIGHWAY, ELKO, NV 89801 2020 PHONE:(775) 738-8058 FAX:(775) 738-8267	SHEET 1
			OF 1

**Elko City Planning Commission
Agenda Action Sheet**

1. Title: **Review, consideration, and possible adoption of Resolution 2-20, containing amendments to the City of Elko Master Plan, specifically amending: 1) the Proposed Future Land Use Plan Atlas Map 8 on six parcels of land located on S. 5th Street generally between Carlin Court and S. 9th Street; 2) the Land Use Section to add RO (Residential Office) as a corresponding zoning under the Downtown Mixed-Use land use designation; and 3) the Proposed Future Land Use Plan Atlas Map 8 on one parcel located at the western terminus of Rocky Road, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **August 4, 2020**
3. Agenda Category: **PUBLIC HEARINGS**
4. Time Required: **30 Minutes**
5. Background Information: **Planning Commission reviewed and initiated the amendment to the City of Elko Master Plan at its July 7, 2020 meeting.**
6. Business Impact Statement: **Not Required**
7. Supplemental Agenda Information: **Staff Report, Resolution with Exhibits,**
8. Recommended Motion: **Move to adopt Resolution 2-20, containing amendments to the City of Elko Master Plan; directing that an attested copy of the foregoing parts, amendments, extensions of and/or additions to the Elko City Master Plan be certified to the City Council; further directing that an attested copy of this Commission's report on the proposed changes and additions shall have be filed with the City Council; and recommending to City Council to adopt said amendments by resolution.**
9. Prepared By: **Michele Rambo, AICP, Development Manager**
10. Agenda Distribution:

**ELKO CITY PLANNING COMMISSION
RESOLUTION NO. 2-20**

**A RESOLUTION OF THE ELKO CITY PLANNING COMMISSION
AMENDING THE ELKO CITY MASTER PLAN BY UPDATING THE
PROPOSED FUTURE LAND USE PLAN (ATLAS MAP 8) AND THE LAND USE
COMPONENT (CORRESPONDING ZONING DISTRICTS)**

WHEREAS, the Elko City Planning Commission conducted a public hearing in accordance with Nevada Revised Statutes, Section 278.210 and the Elko City Code, Section 3-4-12, and

WHEREAS, the Elko City Planning Commission received public input, and reviewed and examined documents and materials related to amending the Proposed Future Land Use Plan (Atlas Map 8) and the Land Use Component (Corresponding Zoning Districts) of the Elko City Master Plan.

NOW, THEREFORE, BE IT RESOLVED by the Elko City Planning Commission that amended portions of the Elko City Master Plan within the Proposed Future Land Use Plan (Atlas Map 8) and the Land Use Component (Corresponding Zoning Districts) are attached hereto as Exhibit 1 and 2, and that the amendments to the Elko City Master Plan attached hereto as Exhibit 1 and 2, are hereby adopted.

All previous versions of the amended portions of Elko City Master Plan, and all resolutions or parts of resolutions in conflict herewith are hereby repealed.

An attested copy of the Elko Planning Commission's report on the aforementioned changes and additions to the Elko City Master Plan shall be filed with the Elko City Council within forty (40) days of this Resolution.

The amendment to the Elko City Master Plan attached hereto as Exhibit 1 and 2, or any portion thereof, shall be effective upon adoption by the Elko City Council.

PASSED AND ADOPTED this 4th day of August 2020 by a vote of not less than two-thirds of the membership of the Planning Commission per NRS 278.210 (3) and Elko City Code Section 3-4-12 (B).

By: _____
Jeff Dalling, Chairman

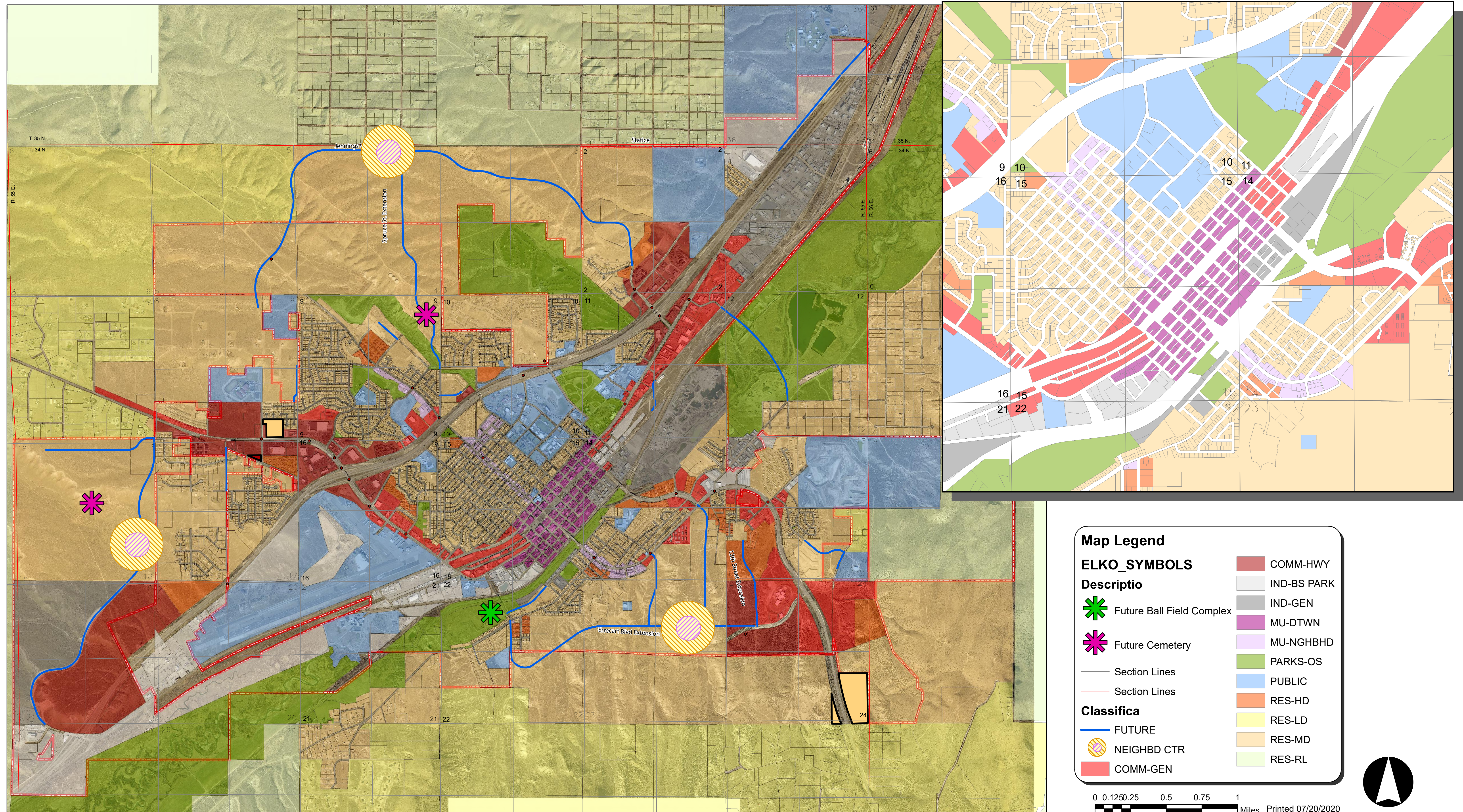
Attest: _____
Tera Hooiman, Secretary

AYES:

NAYS:

ABSENT:

ABSTAIN:



- RMH Mobile Home Residential
- PUD Planned Unit Development
- C General Commercial

General Commercial

This designation includes general commercial land uses with a community-wide focus, together with certain compatible, permitted non-commercial uses. This designation generally features commercial businesses and buildings of varying size and scale with a focus on meeting the needs of the local community. Typical uses may include grocery stores, supermarkets, restaurants, retail sales businesses, service providers (such as banks), and professional offices. Uses of land must comply with the Elko City Code, and must be compatible with, and not frustrate, this Master Plan's goals and policies.

Corresponding zoning districts:

- C General Commercial
- CC Convenience Commercial
- CT Commercial Transitional
- PC Planned Commercial
- IC Industrial Commercial

Highway Commercial

This designation includes general commercial land uses with a community-wide and regional focus. This designation features large-scale commercial buildings, automotive dealerships, drive-through restaurants, large-footprint retail stores, and similar type land uses appropriate for highway and arterial frontages. This designation and its uses are not intended to compete with downtown or neighborhood commercial areas, and is focused on the regional market. Uses of land must comply with the Elko City Code, and must be compatible with, and not frustrate, this Master Plan's goals and policies.

Corresponding zoning districts:

- PC Planned Commercial
- C General Commercial
- CC Convenience Commercial
- IC Industrial Commercial

Downtown Mixed Use

This land use designation includes land uses that are located in or close to the historic downtown area. The area will capitalize on the existing fabric of the downtown and its walkable grid system. Mixed-use allows for a variety of land uses, and configurations. Housing or office use may be located within the same structure, with retail use primarily on the first floor. Housing options within this land use designation will be predominantly composed of high density multi-family housing including

apartments, townhomes, condominiums, etc. Uses of land must comply with the Elko City Code, and must be compatible with, and not frustrate, this Master Plan's goals and policies.

Corresponding zoning districts:

- C General Commercial (with revisions)
- RO Residential Office

Neighborhood Mixed Use

Neighborhood Mixed-Use are areas designated on the Elko Future Land Use Map intended for higher density residential development combined with neighborhood scale commercial activity. This designation features commercial uses such as grocery stores, corner stores, coffee shops, bookstores, video rentals, barber shops, hair salons, bakeries and bicycle repair. The Master Plan Land Use Map identifies several general locations for Neighborhood Mixed-Use development.

Housing within this designation will range from higher density multi-family housing around the commercial core of the neighborhoods to medium density residential development away from the core. Uses of land must comply with the Elko City Code, and must be compatible with, and not frustrate, this Master Plan's goals and policies.

Corresponding zoning districts:

- CC Convenience Commercial
- CT Commercial Transitional
- RB Residential Business

General Industrial

This land use designation includes light to heavy industrial type land uses as well as some of the more intense commercial uses. Land use activity in this category may include research and development, clean technology assembly and production as well as more intense industrial uses. It should be noted that these uses have some impact on surrounding areas in terms of noise, odor, dust or other nuisances that would likely extend beyond the property lines. Uses of land must comply with the Elko City Code, and must be compatible with, and not frustrate, this Master Plan's goals and policies.

Corresponding zoning districts:

- LI Light Industrial
- IC Industrial Commercial
- GI General Industrial

Business Park Industrial

This land use designation identifies future employment centers, and specifically those targeting high-technology, research, education, and



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

CITY OF ELKO STAFF REPORT

REPORT DATE: July 20, 2020
PLANNING COMMISSION DATE: August 4, 2020
AGENDA ITEM NUMBER: I.A.4.
APPLICATION NUMBER: Master Plan Amendment 2-20

Review, consideration, and possible adoption of Resolution 2-20 containing amendments to the City of Elko Master Plan, specifically amending: 1) the Proposed Future Land Use Plan Atlas Map 8 on six parcels of land located on S. 5th Street generally between Carlin Court and S. 9th Street; 2) the Land Use Section to add RO (Residential Office) as a corresponding zoning under the Downtown Mixed-Use land use designation; and 3) the Proposed Future Land Use Plan Atlas Map 8 on one parcel located at the western terminus of Rocky Road, and matters related thereto. **FOR POSSIBLE ACTION**

STAFF RECOMMENDATION:

Move to adopt Resolution 2-20, containing amendments to the City of Elko Master Plan; directing that an attested copy of the foregoing parts, amendments, extensions of and/or additions to the Elko City Master Plan be certified to the City Council; further directing that an attested copy of this Commission's report on the proposed changes and additions shall have be filed with the City Council; and recommending to City Council to adopt said amendments by resolution.

PROPOSED CHANGE #1

BACKGROUND

M&M Tile, located at 815 S. 5th Street, applied for a Parcel Map to move the lot line between two parcels. During the review process, it was discovered that the current zoning of the property, General Commercial, is not a corresponding zoning for the existing Master Plan designation of Residential – Medium Density.

A Master Plan Amendment was determined to be needed because the Master Plan requires that the zoning of individual parcels conform with the Master Plan land use designation. As a general practice throughout Nevada, if these designations do not match, the project cannot be approved or a condition of approval must be placed on the project that a Master Plan Amendment occur. In this instance, a condition of approval was added to the Parcel Map.

Once Staff began looking more closely at this area of town, it was discovered that many parcels surrounding S. 5th Street/Lamoille Highway have conflicting zoning and Master Plan designations. The proposed changes below are just to those parcels within the same block as M&M Tile. Further Master Plan Amendments for other parcels in the area may be forthcoming.

EXISTING CONDITIONS

As seen on the map below, the parcels in questions are zoned General Commercial and Residential. Surrounding properties to the west and south are also zoned General Commercial, while the parcels to the north are zoned Residential – Special Area, and the parcels to the east are zoned Residential.



There are currently a mix of uses in the neighborhood along S. 5th Street/Lamoille Highway in this area. The six parcels in question include a City of Elko fire station, two tile companies, and vacant land. Mobile home parks exist in most of the surrounding area.

For the most part, the existing zoning districts make sense for this neighborhood and are not proposed to change, with the exception of the parcel containing the fire station. A future Zone Change will need to be processed by Staff at a later time.

The map below shows the existing Master Plan Designations for the same neighborhood. All of the properties surrounding the subject parcels are classified as Residential – Medium Density with the exception of those across S. 5th Street/Lamoille Highway, which are designated as Mixed-Use Neighborhood. In addition, there is an area designated as General Commercial approximately 500 feet east of 9th Street along Lamoille Highway.

Current MP Designation



PROPOSED CHANGES

In order to clean up the multiple discrepancies between the Master Plan designations and Zoning districts of these six parcels, multiple changes are needed. These are outlined below:

APN	Use	Current Zoning	Current Master Plan	Proposed Master Plan
001-472-014	Fire Station	General Commercial	Residential-Medium Density	Public
001-472-013	Commercial	General Commercial	Residential-Medium Density	General Commercial
001-472-015	Vacant	General Commercial	Residential-Medium Density	General Commercial
001-472-012	Commercial	General Commercial	Residential-Medium Density	General Commercial
001-473-001	Vacant	General Commercial	Mixed-Use Neighborhood	General Commercial
001-740-010	Vacant	Residential	Mixed-Use Neighborhood	Residential-Medium Density

The map below shows the proposed changes to the Master Plan designation of each parcel.



These changes will bring these parcels into compliance between their existing zoning districts and the proposed land use designations (with the exception of the fire station discussed above).

JUSTIFICATION

The City of Elko has not adopted findings to be met by Master Plan Amendments. However, other jurisdictions throughout Nevada use some variation of the following findings when reviewing Master Plan Amendments. These are useful when considering the proposed changes.

1. The amendment/project will provide for orderly physical growth of the City, enhance the urban core, and foster safe, convenient, and walkable neighborhoods and shopping districts.

Creating consistency between zoning and Master Plan designations aides in the growth of the City by keeping the intended use of these parcels clear for future development. Inconsistencies create confusion and delay projects, which can ultimately keep somebody from building on a parcel.

2. The amendment/project conforms to the adopted population plan and ensures an adequate supply of housing, including affordable housing.

The proposed change does not have a significant impact on housing or population because most of the parcels under consideration for this change are currently being used for commercial uses. One vacant parcel is proposed to become new Medium-Density Residential land, which offsets the loss of the same designation on four of the smaller parcels.

3. There has been a change in the area or conditions on which the current designation was based which warrants the amendment.

No change has occurred. The amendment is warranted simply as a means to create consistency between the zoning and land use categories.

4. The density and intensity of the proposed Master Plan Amendment is sensitive to the existing land uses and is compatible with the existing adjacent land use designations.

The uses and density permitted under the new Master Plan designations does not change because the Master Plan is being changed to match the existing uses on the parcels.

5. There are, or are planned to be, adequate transportation, recreation, utility, and other facilities to accommodate the uses and density permitted by the proposed Master Plan designation.

The proposed change to the Master Plan designations does not increase the need for facilities such as transportation, recreation, and utilities. With the exception of some street improvements, which would be installed with the development of the vacant parcels, all facilities are already in place to serve this area.

6. The proposed change is in substantial conformance with the goals and policies of the Master Plan and other adopted plans and policies.

The proposed changes to each property's Master Plan designation is in substantial conformance with the following objective:

-) Objective 6: Encourage multiple scales of commercial development to serve the needs of the region, the community, and individual neighborhoods.

In addition, the proposed amendment conforms with all other adopted plans and policies within the City of Elko.

PROPOSED CHANGE #2

BACKGROUND

Throughout the years, the City of Elko has approved several Zone Changes for individual lots along the south side of Court Street from R (Residential) to RO (Residential Office). The current Master Plan designation of these properties is Downtown Mixed-Use, which does not support the Residential Office

Zoning. Staff feels that Residential Office is a highly compatible use based on the character of the existing neighborhood, but by allowing these zoning changes, the City is technically creating an inconsistency between the Zoning and the Master Plan.

Staff has discussed the option of transforming Court Street into a district similar to what has previously been done along 5th Street. However, the Master Plan designation found along the north side of Court Street (Residential – Medium Density) already allows for the use of Residential Office zoning. Therefore, it would be a much easier process (while achieving the same result as a district) to change the Master Plan to allow for Residential Office zoning in the Downtown Mixed-Use land use designation.

EXISTING CONDITIONS

As seen in the description below, page 18 of the Land Use section of the Master Plan currently lists only General Commercial as a corresponding zoning district under the Downtown Mixed-Use designation.

Downtown Mixed Use
 This land use designation includes land uses that are located in or close to the historic downtown area. The area will capitalize on the existing fabric of the downtown and its walkable grid system. Mixed-use allows for a variety of land uses, and configurations. Housing or office use may be located within the same structure, with retail use primarily on the first floor. Housing options within this land use designation will be predominantly composed of high density multi-family housing including apartments, townhomes, condominiums, etc. Uses of land must comply with the Elko City Code, and must be compatible with, and not frustrate, this Master Plan's goals and policies.

Corresponding zoning districts:

- C General Commercial (with revisions)

Based on this, the highlighted properties below are not in conformance with the Master Plan.



PROPOSED CHANGES

The proposed change is simply to include Residential Office as a corresponding zoning district under the Downtown Mixed-Use designation, as shown below.

Downtown Mixed Use	
This land use designation includes land uses that are located in or close to the historic downtown area. The area will capitalize on the existing fabric of the downtown and its walkable grid system. Mixed-use allows for a variety of land uses, and configurations. Housing or office use may be located within the same structure, with retail use primarily on the first floor. Housing options within this land use designation will be predominantly composed of high density multi-family housing including apartments, townhomes, condominiums, etc. Uses of land must comply with the Elko City Code, and must be compatible with, and not frustrate, this Master Plan's goals and policies.	
Corresponding zoning districts:	
▪ C	General Commercial (with revisions)
▪ RO	Residential Office

This change will bring the properties in question into conformance with the Master Plan and allow for future Zone Changes to Residential Office.

JUSTIFICATION

The City of Elko has not adopted findings to be met by Master Plan Amendments. However, other jurisdictions throughout Nevada use some variation of the following findings when reviewing Master Plan Amendments. These are useful when considering the proposed changes.

1. The amendment/project will provide for orderly physical growth of the City, enhance the urban core, and foster safe, convenient, and walkable neighborhoods and shopping districts.

The proposed amendment to include Residential Office as a corresponding zoning district under Downtown Mixed-Use directly enhances the urban core and provides for convenient mixed-use districts. The existing office uses already in place and the encouragement of future residential office uses will enhance the existing neighborhood and bring a more diverse set of uses. These office uses will further increase sales tax to the City.

2. The amendment/project conforms to the adopted population plan and ensures an adequate supply of housing, including affordable housing.

The proposed change does not remove any current housing stock, but does allow single-family residences to be converted to office uses in the future, which are currently located within the Downtown Mixed-Use designation. There are only a handful of properties, which would fall into this category so the impact to the overall housing supply in the City of Elko would be negligible.

3. There has been a change in the area or conditions on which the current designation was based which warrants the amendment.

Allowing the Residential Office zoning district within the Downtown Mixed-Use land use category not only cleans up inconsistencies on the parcels discussed above, but also allows for a wider array of uses. The Downtown Mixed-Use designation currently only allows for one zoning district (General Commercial). However, a true mixed-use area should allow for a variety of zoning districts to create the most successful neighborhood possible. With residential offices and mixed-use gaining popularity throughout the country, this proposed change would open up several additional properties within the City for this type of use.

4. The density and intensity of the proposed Master Plan Amendment is sensitive to the existing land uses and is compatible with the existing adjacent land use designations.

Allowing the Residential Office zoning district within the Downtown Mixed-Use designation is directly compatible with, and sensitive to, the existing land uses and designations. The parcels that are currently incompatible with the Master Plan will become compatible. There are several existing parcels zoned for Residential Office across Court Street where Residential Office is already a compatible zoning district under the Residential Medium Density designation found there.

5. There are, or are planned to be, adequate transportation, recreation, utility, and other facilities to accommodate the uses and density permitted by the proposed Master Plan designation.

The proposed change to the Master Plan does not increase the need for facilities such as transportation, recreation, and utilities. These facilities are already in place throughout this area of the City. In addition, the density of any future parcels zoned Residential Office will not increase above what is already in place, eliminating the need for any additional facilities in the future.

6. The proposed change is in substantial conformance with the goals and policies of the Master Plan and other adopted plans and policies.

Allowing Residential Office as a corresponding zoning district under the Downtown Mixed-Use district is in substantial conformance with the following objectives:

-) Objective 4: Consider a mixed-use pattern of development for the downtown area, and for major centers and corridors, to ensure the area's adaptability, longevity, and overall sustainability.
-) Objective 6: Encourage multiple scales of commercial development to serve the needs of the region, the community, and individual neighborhoods.

In addition, the proposed amendment conforms with all other adopted plans and policies within the City of Elko.

PROPOSED CHANGE #3

BACKGROUND

The United States Department of Veterans Affairs has been searching for a site in or around Elko to serve as a new veteran's cemetery. After considering several parcels, the group decided that the parcel at the western terminus of Rocky Road (APN 001-01A-012) would work best for their needs.

To begin the process, the City of Elko created a Parcel Map to divide the 38.086-acre parcel into four parcels of various sizes. During review of this Parcel Map, Staff discovered that one of those lots does not conform with the minimum required lot size for the current zoning designation. The Zoning Code requires that all newly created lots comply with the development standards for its current zoning. If a Parcel Map contains a non-compliant parcel, the Parcel Map cannot be approved.

Therefore, Staff determined that a Master Plan Amendment and Zone Change are required prior to the approval of the proposed Parcel Map.

EXISTING CONDITIONS

As seen on the map below, the parcel in question is zoned General Agriculture. Surrounding properties to the north are also zoned General Agriculture, while the properties to the east are zoned Single-Family and Multiple-Family Residential. The areas to the west and south of the site are within Elko County. Further to the south, back within City Limits, consists of Public/Quasi-Public and Single-Family Residential districts.

Current Zoning



The map below shows the existing Master Plan Designations for the same neighborhood. All of the properties surrounding the subject parcel are classified as Residential – Medium Density. When the Master Plan was approved, a large portion of this area was envisioned as being developed into single-family residences.



PROPOSED CHANGES

The map below shows the proposed changes to the Master Plan designation of the subject parcel. The Public designation was chosen based on the anticipated uses of the four proposed sites. These uses include cemetery and a support facility for the Elko County School District. A corresponding Zone Change to Public/Quasi-Public is also being processed. If prior to development, the anticipated uses change, further amendments may be needed.



JUSTIFICATION

The City of Elko has not adopted findings to be met by Master Plan Amendments. However, other jurisdictions throughout Nevada use some variation of the following findings when reviewing Master Plan Amendments. These are useful when considering the proposed changes.

1. The amendment/project will provide for orderly physical growth of the City, enhance the urban core, and foster safe, convenient, and walkable neighborhoods and shopping districts.

As the City of Elko grows, large parcels such as this are becoming harder to find. Some uses require larger parcels such as this one, narrowing down the options of location and sometimes conflicting with the original plan for an area. When this happens, it is important to consider whether or not the proposed change is in the best interest of the City and if an alternative plan for orderly physical growth of the City can be determined.

The proposed amendment, while technically blocking the orderly physical growth of the City, allows for the development of needed Public uses that other parcels in town are not large enough for. The possible future annexation of the surrounding Elko County parcels will mitigate this conflict in the long run, but may not happen for many years.

2. The amendment/project conforms to the adopted population plan and ensures an adequate supply of housing, including affordable housing.

The change from Residential – Medium Density to Public reduces the amount of land available for housing in an area that has been envisioned as residential for many years. The proposed

change would ultimately reduce the amount of residential development in the City and reduce the future property tax potential. However, as mentioned above, if the surrounding Elko County properties are ever annexed into the City of Elko, the loss of this parcel will be mitigated.

3. There has been a change in the area or conditions on which the current designation was based which warrants the amendment.

There have been no changes in the area itself or overall conditions that warrant this amendment other than the fact that the US Department of Veteran's Affairs has requested to purchase the property for a cemetery. No other parcels they considered met the criteria.

4. The density and intensity of the proposed Master Plan Amendment is sensitive to the existing land uses and is compatible with the existing adjacent land use designations.

Overall, the proposed amendment is compatible with existing adjacent land use designations. Cemeteries are allowed in and adjacent to residentially designated parcels, such as currently exists in another portion of town.

5. There are, or are planned to be, adequate transportation, recreation, utility, and other facilities to accommodate the uses and density permitted by the proposed Master Plan designation.

As the proposed parcels develop, all public improvements will be required.

6. The proposed change is in substantial conformance with the goals and policies of the Master Plan and other adopted plans and policies.

The proposed change to the property's Master Plan designation is in substantial conformance with the following objective:

-) Objective 4: Consider a mixed-use pattern of development for the downtown area, major centers, and corridors to ensure the area's adaptability, longevity, and overall sustainability.

In addition, the proposed amendment conforms with all other adopted plans and policies within the City of Elko.

**Elko City Planning Commission
Agenda Action Sheet**

1. Title: **Review, consideration, and possible action on Conditional Use Permit No. 3-20, filed by Ruby Mountain Acton Academy on behalf of Gladys Burns, which would allow for a teaching of the creative arts/childcare center within an R (Single-Family and Multi-Family Residential) Zoning District, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **August 4, 2020**
3. Agenda Category: **NEW BUSINESS, PUBLIC HEARINGS**
4. Time Required: **15 Minutes**
5. Background Information: **As required by Elko City Code 3-2-5(E)(3) any teaching of creative arts/childcare center within a Single-Family and Multi-Family Residential Zoning District requires a Conditional Use Permit.**
6. Business Impact Statement: **Not Required**
7. Supplemental Agenda Information: **Application, Staff Report**
8. Recommended Motion: **Move to conditionally approve Conditional Use Permit 3-20 based on the facts, findings and conditions presented in Staff Report dated July 21, 2020**
9. Findings: **See staff report dated July 21, 2020**
10. Prepared By: **Cathy Laughlin, City Planner**
11. Agenda Distribution: **Ruby Mountain Acton Academy
Attn: Angela Heguy
angieheguy@gmail.com
PO Box 1332
Elko, NV 89803**

STAFF COMMENT FLOW SHEET
PLANNING COMMISSION AGENDA DATE: 8/4

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

Title: Conditional Use Permit No. 3-20

Applicant(s): Baby Mountain Acton Academy

Site Location: 675 W. Birch Street - APN 001-073-001

Current Zoning: R Date Received: 7/14 Date Public Notice: 7/21

COMMENT: This is to allow a teaching of the creative arts/
Childcare center within the Single-Family + Multi-Family
Residential Zoning District.

If additional space is needed please provide a separate memorandum

Assistant City Manager: Date: 7/27/20

Recommend approval as presented by
staff

SAW

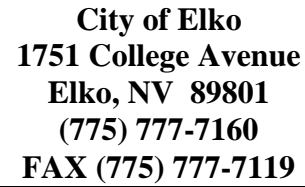
Initial

City Manager: Date: 7/29/20

No comments/concerns.

CE

Initial



PROJECT INFORMATION

PARCEL NUMBER: APN 001-073-001

PROPERTY SIZE: 18,300 square feet

EXISTING ZONING: R –Single Family Multiple Family Residential

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

EXISTING LAND USE: Developed as a single family residence

NEIGHBORHOOD CHARACTERISTICS:

-)} The property is surrounded by developed single family residential properties to the north, south, east and west.

PROPERTY CHARACTERISTICS:

-)} The property is currently developed.
-)} The property has solid fence surrounding the back yard and partially enclosing the side yards.
-)} The property is currently accessed from West Birch Street.

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 3-2-5 Single Family and Multiple Family Residential Zoning 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 3-2-5(E)(3).
-)} The applicant has permission from the property owner to apply for the CUP.
-)} The applicant has stated that they are currently leasing the Girl Scout House for the same use.

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 listed as a corresponding zoning district for Medium Density Residential in the Master Plan Land Use.
3. 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 is accessed from West Birch Street.
2. The Master Plan identifies West Birch Street as a local residential.
3. The North side of West Birch Street as well as Dotta Drive have pedestrian access but the south side of West Birch Street does not have pedestrian access. Sidewalks are a necessary safety feature, particularly in residential neighborhoods where children walk to and from the school.

The conditional use permit is in conformance with the Master Plan Transportation Component.

ELKO REDEVELOPMENT PLAN:

1. The property is not located within the redevelopment area therefore, the plan was not considered with this application.

ELKO WELLHEAD PROTECTION PLAN

1. The property is located outside any capture zone for City wells.

SECTION 3-2-3 GENERAL PROVISIONS

2. 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 3-2-5(E).

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 existing principal permitted use conforms with Elko City Code 3-2-4.

SECTION 3-2-5 SINGLE FAMILY MULTIPLE FAMILY RESIDENTIAL DISTRICT

1. The intent of the district states the following:
The purpose of the R zoning district is to provide for a mixture and diversity of housing types for both single- family and multi-family residential development where such development is desirable, and limited institutional, office and neighborhood service type uses where appropriate, and to preclude land uses that would be detrimental to a mixed and varied residential environment
2. Section 3-2-5(E) Lists Teaching of Creative Arts and Childcare Center as Conditional uses permitted.
3. Section 3-2-5(G) The existing principal permitted use meets the table of area requirements for setback, height, lot area, and lot dimensions.

The existing development conforms with the development standards of this section of code 3-2-5 as well as the conditional permitted uses allowed.

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

1. 3-2-17(F) requires 1 parking stall per 6 students for Elementary schools and for Middle School 1 per 10 students, plus 1 per employee. The building size will determine the occupant load allowed and off street parking will be required to be in conformance with 3-2-17(F).
2. 3-2-17(D)(2)(a) states that 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. The required off street parking as a principal permitted use is not located in the front yard setback due to a 3 car garage but for the conditional use the garage will not be allowed to be counted toward required off street parking and therefore a variance will be required to be approved to allow parking in the front yard setback.

Conformance with this section 3-2-17 will be required and several recommended conditions are listed in this report.

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 use is in conformance with the Land Use Component of the Master Plan.
2. The proposed use is in conformance with the existing transportation infrastructure and the Transportation Component of the Master Plan.
3. The proposed use is in conformance with the City Wellhead Protection Program.
4. The proposed use is in conformance with City Code 3-2-5 R- Single Family and Multiple Family Residential with the approval of the Condition Use Permit.
5. The proposed use will be required to be in conformance with City Code 3-2-17 providing the required off street parking and approval of a variance for parking within the front yard setback.
6. 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.
7. The parcel is not located within a designated Special Flood Hazard Area.
8. The proposed development is in conformance with Elko City Code 3-2-3 & 3-2-4.

STAFF RECOMMENDATION:

Staff recommends **APPROVAL** of CUP 3-20 with the following conditions:

1. The permit is granted to the applicant Ruby Mountain Acton Academy.
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. The garage and street cannot be used as part of the required off street parking stalls. All off street parking (including required ADA van-accessible stall) must be located on the parcel as required by the Zoning Ordinance.
4. A variance for parking in the front yard setback must be approved prior to issuing of a building permit for the parking area. Parking requirement based on Elko City Code 3-2-17(F). If the existing driveway is to be widened to accommodate required off street parking, a variance will need to be approved for driveway width, Elko City Code 3-2-17(B)(2)(b). All conditions of variance to be met prior to occupancy of the building or issuance of a business license.
5. A Parcel Map is required to be approved and recorded prior to the opening of the school to merge Lots 9, 10, and 11 and the vacated portion of former E Street right-of-way.
6. CUP 3-20 to be recorded with the Elko County Recorder within 90 days after the commencement of educational use at this location.

7. A designated drop-off/pick-up location shall be established. This area is to be only in front of 675 W. Birch Street only and should be properly marked.
8. The permittee is required to prevent disruption to vehicular traffic and ensure pedestrian safety by establishing staggered drop off and pick up times at sufficient intervals to ensure the street is not blocked and parking does not extend beyond the frontage of 675 W. Birch Street.
9. Drop off and pickup times are restricted to three days a week.
10. ADA ramps shall be installed in the front and rear yards and any other areas where stairs prohibit the equitable use of the property.
11. As this is a change in occupancy, the structure shall be brought into compliance with current building code to conform with education use. This shall include all accessibility requirements per ICC A117.1 2009 as referenced by 2018 IBC. All work will require permits through the City of Elko Building Department.

Conditional Use Permit 3-20 Ruby Mountain Acton Academy

YPNO	assess_nam	address1	address2	mcity	mzip
001070001	BAUMANN ALLEN & ELIZABETH	975 DOTTA DR		ELKO, NV	89801-2700
001073004	BAUMGARTNER BROGAN & BRITTANY	501 W BIRCH ST		ELKO, NV	89801-2970
001072025	BECKSTEAD MITCHELL J	1009 SEWELL DR		ELKO, NV	89801-
001131010	BELLAS LLC	PO BOX 823351		VANCOUVER, WA	98682-0060
001073001	BURNS R E JR & GLADYS TR	675 W BIRCH ST		ELKO, NV	89801-2700
001072023	COCHRANE SCOT M & TRISH	1025 SEWELL DR		ELKO, NV	89801-2960
001072004	CRAIG EARL M JR & MARY SUE TR	PO BOX 2403		ELKO, NV	89803-2400
001081004	CUNNINGHAM LONNIE M & STEPHANI	970 HIGHLAND DR		ELKO, NV	89801-2950
001122004	DAVIS KAY S & MATT H } 1pc	655 MAHOGANY LN		ELKO, NV	89801-2930
001073007	DAVIS KAY S & MATT H }	655 MAHOGANY LN		ELKO, NV	89801-2930
001073006	DOUGLASS RYAN J	961 HIGHLAND DR		ELKO, NV	89801-2940
001132001	ELKO CITY OF NO PC	1755 COLLEGE AVE		ELKO, NV	89801-
001122001	HANLEY NANN C	685 W BIRCH ST		ELKO, NV	89801-7810
001073009	HARRIS RICHARD C & PATRICIA	C/O LONI BETH KISSIN ET AL	615 MAHOGANY LN	ELKO, NV	89801-2930
001072003	HAYES STEVEN & JENNIFER	1024 DOTTA DR		ELKO, NV	89801-2700
001071008	HULL RICHARD J	1011 DOTTA DR		ELKO, NV	89801-
001122005	K & L RENTALS LLC	371 BERRY CREEK PL		SPRING CREEK, NV	89815-6500
001122007	KIMBER'S CAR WASH } 1pc	1369 COLLEGE PKWY		ELKO, NV	89801-2550
001122006	KIMBER'S CAR WASH }	1369 COLLEGE PKWY		ELKO, NV	89801-2550
001072002	LESBO MICHAEL & LOURRIANNE M	1010 DOTTA DR		ELKO, NV	89801-2700
001073003	LOGSDEN JASON E		625 W BIRCH ST	ELKO, NV	89801-
001072001	LORANGER ROBERT J & SUSAN C TR	1000 DOTTA DR		ELKO, NV	89801-2700
001073002	MARTIN JOHN H JR TR	655 W BIRCH ST		ELKO, NV	89801-2700
001081007	SCHAIN CHARLES E & CARLA M	954 HIGHLAND DR		ELKO, NV	89801-2950
001074001	SCHMITT SKYLAR	502 W BIRCH ST		ELKO, NV	89801-2910
001072024	SEA KARLEE		1017 SEWELL DR	ELKO, NV	89801-
001131009	SILVER RIVER PROPERTIES LLC	PO BOX 1626		ELKO, NV	89803-1620
001073008	SMITH ROBERT H & BETTY E	625 MAHOGANY LN		ELKO, NV	89801-2930
001071006	ST PAUL'S CHURCH THE RECTORY	777 SAGE ST		ELKO, NV	89801-3310
001071007	STENINGER ALVIN LEONARD		1015 DOTTA DR	ELKO, NV	89801-
001073005	STRAMEL JUDITH A	965 HIGHLAND DR		ELKO, NV	89801-2940
001072026	UNRUH DONALD W	610 W BIRCH ST		ELKO, NV	89801-2700
001081006	WILLIAMS WARREN E & MARY J } 1pc	962 HIGHLAND DR		ELKO, NV	89801-2950

(30)

From Next Pg. } 1pc

From Previous

001081005 WILLIAMS WARREN E & MARY J

962 HIGHLAND DR

ELKO, NV

89801-2950

NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that the Elko City Planning Commission will conduct a series of public hearings on Tuesday, August 4, 2020 beginning at 5:30 P.M. P.D.S.T. in the Turquoise Room at the Elko Convention Center, Elko, Nevada, and that the public is invited to provide input and testimony on these matters under consideration in person, by writing, or by representative.

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

- **Conditional Use Permit No. 3-20, filed by Ruby Mountain Acton Academy on behalf of Gladys Burns, which would allow for a teaching of the creative arts/childcare center within an R (Single-Family and Multi-Family Residential) Zoning District, and matters related thereto. The subject property is located generally on the southeast side of Birch Street, approximately 125' west of the intersection of Birch Street and Dotta Drive. (675 W. Birch Street - APN 001-073-001)**

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):	Ruby Mountain Acton Academy dba Acton of the Rubies (Angela Heguy)		
(Applicant must be the owner or lessee of the proposed structure or use.)			
MAILING ADDRESS:	PO Box 1332 Elko, NV 89803		
PHONE NO. (Home)	775-397-8788	(Business)	same
NAME OF PROPERTY OWNER (If different):	Gladys Burns		
(Property owner's consent in writing must be provided.)			
MAILING ADDRESS:	675 W. Birch St. Elko, NV 89801		
LEGAL DESCRIPTION AND LOCATION OF PROPERTY INVOLVED (Attach if necessary):			
ASSESSOR'S PARCEL NO.:	001-073-001	Address	675 W. Birch St. Elko, NV
Lot(s), Block(s), & Subdivision	Lot --- Block 3 Subdivision First Humboldt Addition		
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 \$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

1. Current zoning of the property:

The current zoning of 675 W. Birch St. is R or residential.

2. Cite the provision of the Zoning Ordinance for which the Conditional Use Permit is required:

3-2-5, Teaching of Creative Arts/Childcare Center

3. Explain in detail the type and nature of the use proposed on the property:

Acton of the Rubies is a 501c3 nonprofit youth organization provides creative resources to homeschooling families. Our programs allow learners to be at the center of their education by promoting self-direction, critical thinking and being generally curious. Families participating in our programs have the opportunity to meet as a group 3 times per week. Acton of the Rubies meets on Tuesdays, Wednesdays, and Thursdays 8am-3pm 10 months of the year. The property will be used to conduct these meetings, activities, and projects. Our program promotes activities across all genres. For example: entrepreneurship, community service, crafts, science, math, technology, creative arts, engineering, theater, gardening, agriculture, history, economics, etc. During a typical day at Acton learners participate in self reflection and independent/self-directed learning based on their own family ' s goals and collaborative projects promoting 21st century skills.
--

4. Explain how the use relates with other properties and uses in the immediate area:

There are multiple homeschooling families within a very short radius of this home and the surrounding areas. Angel Park is very near the property, the park is used for multiple children's activities throughout the year. St. Joseph's Catholic Church will also be hosting a homeschool group at the church around the corner from the property. Their group will meet several times per week. In addition St. Joseph's offers bible study classes to children and young adults throughout the week. The Presbyterian Church offers numerous activities and meetings for children and young adults. St. Mark's Lutheran Church offers a preschool throughout the week as well as church meetings for children and young adults. Noah's Ark Child Care Center is a few blocks away, as is Northside School. See additional pages for more info.

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 known characteristics which may affect the use of this property; instead, the inside has large areas suitable for group meetings and a large driveway and garage to support parking for the few guides who will be assisting the members.

6. Describe the general suitability and adequacy of the property to accommodate the proposed use:

This property is very suitable for the proposed use because the large square footage allows for the space to complete creative projects, conduct meetings, and participate in fun children's activities. This location has a large project/craft area and a three car garage for various projects and activities. The large living rooms allow for meetings and peer to peer collaboration. The large fully fenced backyard allows for play, curiosity, and exploration outside.

7. Describe in detail the proposed development in terms of grading, excavation, terracing, drainage, etc.: There are no plans to change the development of the property.

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

The traffic generated would be minimal, as we only meet three times per week for part of the year. The majority of the homeschool families in our program have multiple children participating. Therefore generating less traffic and/or number of vehicles in the neighborhood. The type of traffic will be families in "family type vehicles" there will be no large equipment or specialized vehicles. In order to maximize safety and minimize the amount of traffic in the neighborhood at one time, meeting times will be staggered. See additional pages for more information.

9. Describe the means and adequacy of off-street parking, loading and unloading provided on the property: ☐ This location has a three car garage and three car driveway for off street parking.

The home has a large street frontage and would accommodate two to three vehicles for loading and unloading purposes also. In order to maximize safety and minimize the amount of traffic in the neighborhood at one time meeting times will be staggered. Carpooling will be encouraged as well as walking and biking for those in the neighborhood to further minimize parking needs.

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

There will be no signage on the outside of the home. It is our goal to keep the exterior of the home in the same condition it is in now. The look will remain a residence with little to no visible evidence of our homeschool meetings occurring from the street. We are committed to keeping up the landscaping and home maintenance required in order to keep property values at their optimal residential market value.

--

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

There will be little to no outside storage of goods aside from the "traditional household goods" such as hoses, watering cans, outdoor supplies, outdoor games, outdoor toys and furniture. All of which will be in the backyard and not visible from the street or to adjacent homeowners unless they are actively being used.

Meaning when the items are not in use they will be properly stored in the garage, woodshed, and/or greenhouse.

It is our goal to keep the property in its best condition including landscaping.

--

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

There is a small woodshed, open on one side in the backyard. The woodshed would be used for storage of outdoor supplies. There is also a small greenhouse in the backyard. The greenhouse will be used for gardening purposes and/or storage of outside materials during the winter months. These structures are pre-existing, we will not be adding any more exterior structures to the property at this time.

(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

Angela Heguy

(Please print or type)

Mailing Address

PO Box 1332

Street Address or P.O. Box

Elko, NV 89803

City, State, Zip Code

Phone Number:

775-397-8788

Email address:

angieheguy@gmail.com

SIGNATURE:

Angela Heguy

FOR OFFICE USE ONLY

File No.: 3-20 Date Filed: 7/14/20 Fee Paid: \$750 CX# 1094

Acton of the Rubies Supplemental Pages for the Conditional Use Permit Application

4. Explain how the use relates with other properties and uses in the immediate area (continued):

A major component of our creative resource is learning to be the best person you can be. It is our goal for the children to use their natural curiosity to explore various aspects of being a good person or neighbor. Having the opportunity to apply these principles in the real world as an actual neighbor will greatly benefit not only the children participating in our programs but the neighborhood and community at large.

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

Families in close proximity will be encouraged to walk or bike to our meetings. Families driving will be encouraged to carpool to further minimize traffic.

Elevation Plan:

Picture of the home is provided instead of an Elevation Plan as per Cathy Laughlin.



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JUL 14 2020

Acton of the Rubies Supplemental Pages for the Conditional Use Permit Application

Consent from property owner:

I Gladys Burns, property owner of 675 W. Birch St., give consent for Acton of the Rubies/Angela Heguy to apply for a Conditional Use Permit at 675 W. Birch St.

Signature: *Gladys Burns*

Date: *7/14/2020*

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Acton of the Rubies Supplemental Pages for the Conditional Use Permit Application

Additional Information:

Family Testimonials:

Angie,

I just wanted to let you know how awesome and wonderful you have made this year. When I first started homeschooling I knew I needed a support system, so we joined a co-op, but lives change and when that ended we weren't sure where to turn. Acton of the Rubies has truly been an answer to prayer. You created an environment for my children to nurture the desire to grow without pressure from parents. The intermittent squabbles that we used to have over doing academic work has almost completely disappeared this year. The growth I have seen in my children is spectacular. They are so much more self motivated. I know that switching to a virtual platform was a challenge, but it really gave me an opportunity to dig deeper into how Acton worked and help me move with my children academically. Thank you so much for adapting with the adventures and encouraging them. We look forward to being back in the fall.

From, Kathy McHan

Acton of the Rubies - 1st year testimonial (June 2019)

Although our family was anxious being one of the first-year enrollees in the Acton of the Rubies program, the family-like environment of the studio, that nurtures success and growth of our son's character, have demonstrated the numerous merits of the program. We have seen our son develop an internal drive to learn and discover knowledge on his own, constantly seeking to meet his personal goals. In addition, the family-centric model of Acton has enriched our family's core values and elevated our ambition for a collective excellence in all we do.

Justin B. Milliard

Since starting at Acton of the Rubies, the level of maturity and responsibility for his studies that my son is taking have exceeded my expectations. I am so glad we trusted Acton's philosophy to trust the children and allow them to show what they're capable of. Being in mixed age meetings with younger students has allowed him to practice and strengthen his understanding of foundational concepts while also building confidence through mentorship. At the same time, his own learning programs have allowed him to move ahead through age-appropriate material at his own rate and according to his own ever-changing motivations. Now he wants to learn and achieve his goals because he holds himself to a high standard, not because someone else is.

Since beginning our homeschool journey 2 years ago and using Acton as our homeschooling resource, my son has made 3.5 years of progress in reading and immeasurable leaps in his confidence and love of learning. Having this option for education and community support in Elko has filled an incredible need for our family and is life-changing for our kids.

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JUL 14 2020

Acton of the Rubies Supplemental Pages for the Conditional Use Permit Application

Lisa Donalson

Acton rounds out my son's social and educational exposure. The guides' quick adaptation to honor social distancing with online engagement is a testament to their timely relevance in this dynamic world.

-Facebook Review from Leslie Creel

Reference Letter from Jo Reid Girl Scout House property manager:

Jo Reid
3 Spring Creek Lane
Spring Creek, Nv 89815

July 10, 2020

To Whom It May Concern:

I have been involved with Angie Heguy, with the Acton of the Rubies homeschool group, for the last 2 years. We have rented our facility to Acton. We have found Angie a great renter. She has taken great care with our old building in keeping it clean and in good use! She is always on time with rent and providing the forms involved with renting on a timely basis. She has been a joy to work with.

We hope that she has an opportunity to find a nice space to host Acton. If not then we would be happy to have the Acton of the Rubies back into our building.

Please feel free to call me if you have any questions.

Jo Reid
775-385-7640

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JUL 14 2020

Cathy Laughlin

City of Elko

July 14, 2020

Dear Ms. Laughlin,

The enclosed letter was circulated in the immediate neighborhood of 675 W. Birch St. and signed by nine property owners before sending to Angie Heguy (Acton Academy) on July 14, 2020.

Thank you for your attention to this matter.

M. Martin

655 W. Birch St.

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JUL 14 2020

July 10, 2020

Angie Heguy
Acton Academy
Elko, Nevada

Re: 675 W. Birch

Dear Ms. Heguy

It has come to our attention your plans to turn the above referenced property into a private school, Acton Academy. It is also our understanding that there are currently 15 students and your program is amenable for up to 20 students.

One of the greatest parts of our neighborhood is the somewhat isolation it enjoys due to the street not being a through street. That will certainly be affected by the addition of this school. We also have concerns regarding the increase in street traffic resulting in +-20 parents dropping off and picking up their children twice a day. Also, of concern regarding the traffic, is the double-blind corner. At best, because there isn't much traffic, it is fairly safe, however, there have been instances of people going too fast and taking the turn dangerously. There is also very little off street parking, so there is an assumption the parents will utilize the street as a parking area, which will directly affect the neighbors adjacent to and across the street from 675 W. Birch Street.

We purchased our home in a quiet residential neighborhood because it was that, a quiet residential neighborhood. If we had wanted to purchase a home with businesses and schools in the neighborhood, we would have done so. To introduce a school to this neighborhood will directly affect our current life and enjoyment, and it may also have a future effect on the value of our home.

After consideration and thought, we have decided to contact you before this project goes any further to express our opposition to your school. As we have yet to hear from the City as to a conditional use permit, we have hopefully saved you any more effort or money in pursuing this endeavor.

We also hope you understand our decision in this matter. We wish you the best of luck and success in your school and wherever your future location may be. Unfortunately, we have to say, not in our neighborhood.

Concerned Neighbors of 675 W. Birch

Dear Neighbors,

Hello, my name is Angie Heguy. It is with great respect and happiness that I write you this letter. My grandparents Bob and Gladys Burns, two of my greatest mentors, have kindly invited me to continue our homeschooling journey at their home (675 W. Birch St.). As you know my grandfather passed away on June 4, 2019, leaving his loving wife of 65 years. My grandmother has made the decision to move into a smaller home in April. Instead of selling the home they built and lived in for many years, their wishes are to keep the home within the family.

As your new neighbor, I would like to let you know about a 501c3 nonprofit that I created. Acton of the Rubies an affiliate of Acton Academy. Acton of the Rubies is a nonprofit youth organization providing educational resources to the community and homeschool families. Currently, we host our program at the Girl Scout House, in September 2020 we will begin hosting our program at the Burns house (675 W. Birch St.).

Information regarding our homeschool program:

- We operate on Tuesdays, Wednesdays, and Thursdays from 8am-3pm, September through June.
- Drop off is 8am and pick up at 3pm, there may be cars parked in front of the house during those times, drop off/pick up usually lasts approximately 10 minutes.
- We encourage outside play time and breaks for at least an hour a day (spaced throughout the day). Outside play will occur in the fenced backyard (weather permitting).
- Visit us at actonrubies.org for more information.
- Enjoy this copy of Courage to Grow by Laura Sandefer Founder of Acton Academy in Austin, TX. This book is a fun read and will give you further information on Acton Academy.

As the Founder and Guide of Acton of the Rubies, I invite you to please reach out to me with any questions, comments, and/or concerns. Please feel free to contact me anytime. I look forward to seeing you around the neighborhood! Thank you for your time and support.

Sincerely,



Angie Heguy

775-397-8788

angie@actonrubies.org



Subject: Re: Acton Academy
From: Angie Heguy <angie@actonrubies.org>
Date: 5/7/2020, 10:45 AM
To: [REDACTED]@frontiernet.net>

Good morning,

I have spoken with my attorney regarding your concerns. They are addressed as follows:

Acton of the Rubies is a non-profit registered with both the Nevada Secretary of State and the Internal Revenue Service. Acton of the Rubies is NOT a daycare, nor is it subject to any other specific licensing requirements from the State of Nevada or the City of Elko.

However, as both my grandparents and myself have a deep love for the neighborhood, we wanted to let all neighbors know our plans and address any specific concerns that we can so that we can all live harmoniously in this neighborhood.

Best,
Angie Heguy
Founder/Guide
Acton of the Rubies
actonrubies.org

Find a Calling, Change the World!

On Sun, Mar 8, 2020 at 11:35 AM [REDACTED] <[REDACTED]@frontiernet.net> wrote:

Hi Angie, On receipt of your Thank You note on Friday, I feel that I need to say again that [REDACTED] and I have several real concerns about your proposed venture in our neighborhood. As of now, we are not in favor of Acton of the Rubies being located next door to our home. If you are reaching out to the neighbors to get needed approval, please know that we are voting against your plan. I just wanted to make that clear.

[REDACTED]

ENTITY INFORMATION**ENTITY INFORMATION****Entity Name:**

RUBY MOUNTAIN ACTON ACADEMY

Entity Number:

E0469422017-8

Entity Type:

Domestic Nonprofit Corporation (82)

Entity Status:

Active

Formation Date:

09/28/2017

NV Business ID:

NV20171636853

Termination Date:

Perpetual

Annual Report Due Date:

9/30/2020

Solicits Charitable Contribution:

Yes

REGISTERED AGENT INFORMATION

Name of Individual or Legal Entity:

MCCONNELL LAW OFFICE, PC

Status:

Active

CRA Agent Entity Type:

CRA - Corporation

Registered Agent Type:

Commercial Registered Agent

NV Business ID:

NV20111064452

Office or Position:**Jurisdiction:**

NEVADA

Street Address:

950 IDAHO ST, Elko, NV, 89801, USA

Mailing Address:**Individual with Authority to Act:****Fictitious Website or Domain Name:****OFFICER INFORMATION**☐ **VIEW HISTORICAL DATA**

Title	Name	Address	Last Updated	Status
President	ANGELA HEGUY	950 IDAHO STREET, ELKO, NV, 89801, USA	10/05/2017	Active
Secretary	ANGELA HEGUY	950 IDAHO STREET, ELKO, NV, 89801, USA	10/05/2017	Active

Title	Name	Address	Last Updated	Status
Treasurer	ANGELA HEGUY	950 IDAHO STREET, ELKO, NV, 89801, USA	10/05/2017	Active
Director	ANGELA HEGUY	950 IDAHO STREET, ELKO, NV, 89801, USA	10/05/2017	Active

Page 1 of 1, records 1 to 4 of 4

CURRENT SHARES

Class/Series	Type	Share Number	Value
No records to view.			
Number of No Par Value Shares:			
0			
Total Authorized Capital:			
<div>Filing History</div> <div>Name History</div> <div>Mergers/Conversions</div>			

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July 27, 2020

ELKO CITY PLANNING COMMISSION

We are submitting comments on the matter before you on August 4, 2020 regarding application for Conditional Use Permit No. 3-20 filed by Ruby Mountain Acton Academy. As property owners at 655 W. Birch St, we have several objections to this proposed business in our residential neighborhood. They are as follows:

- 1) Increase in street traffic, specifically at the blind corner of Dotta Drive & West Birch Streets.
- 2) Lack of adequate off street parking for school staff & parents' picking up and dropping off. Street parking will directly impact adjacent neighbors.
- 3) There will be noise!! This is a quiet residential neighborhood & 15-20 children playing outside will certainly change that.
- 4) The addition of a "business" into this residential neighborhood will surely set a precedent. Future attempts to introduce places of business will be difficult to prevent, if not impossible.
- 5) Unknown as to what the future may bring regarding the number of students and hours/days of operation?

Finally, all of the above have prompted our decision to oppose this venture. We feel strongly that our quality of life will be affected by the presence of Acton Academy and, ultimately, the value of our home.

Thank you all for your attention to this matter and for your service to the citizens of Elko as members of The Planning Commission.

John and Mary Ellen Martin

655 West Birch Street

RECEIVED

JUL 28 2020

Mary Ellen Martin
John Martin

RECEIVED

JUL 28 2020

ELKO CITY PLANNING COMMISSION

For your information, the attached letter was circulated in the immediate neighborhood of 675 W. Birch St. and signed by nine property owners before sending to Angie Heguy (Acton Academy) on July 14, 2020.

Thank you for your attention to this matter.

Mary Ellen Martin

July 10, 2020

Angie Heguy
Acton Academy
Elko, Nevada

Re: 675 W. Birch

Dear Ms. Heguy

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One of the greatest parts of our neighborhood is the somewhat isolation it enjoys due to the street not being a through street. That will certainly be affected by the addition of this school. We also have concerns regarding the increase in street traffic resulting in +-20 parents dropping off and picking up their children twice a day. Also, of concern regarding the traffic, is the double-blind corner. At best, because there isn't much traffic, it is fairly safe, however, there have been instances of people going too fast and taking the turn dangerously. There is also very little off street parking, so there is an assumption the parents will utilize the street as a parking area, which will directly affect the neighbors adjacent to and across the street from 675 W. Birch Street.

We purchased our home in a quiet residential neighborhood because it was that, a quiet residential neighborhood. If we had wanted to purchase a home with businesses and schools in the neighborhood, we would have done so. To introduce a school to this neighborhood will directly affect our current life and enjoyment, and it may also have a future effect on the value of our home.

After consideration and thought, we have decided to contact you before this project goes any further to express our opposition to your school. As we have yet to hear from the City as to a conditional use permit, we have hopefully saved you any more effort or money in pursuing this endeavor.

We also hope you understand our decision in this matter. We wish you the best of luck and success in your school and wherever your future location may be. Unfortunately, we have to say, not in our neighborhood.

Concerned Neighbors of 675 W. Birch

Mary Collier & John Mantoni
455 W Birch St
738-5348

Wendy Fowler (Ann Fogel)
625 W Birch St
385-5815

Robert & Susan Wenzel

1050 Dotta Drive

734-0197

Phil Wenzel

615 Mahogany Ln

8410 N 89001

Allen & Elizabeth Baumann

975 Dotta Dr

775-934-4528

AJ Hall

1011 Dotta Dr

738-8441

Mike & Lucie Lesbo

1010 Dotta Dr

(775) 389-0002

Karen & Matt Danks

655 Mahogany Ln

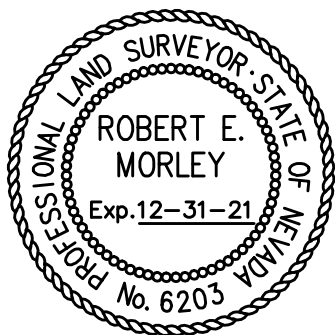
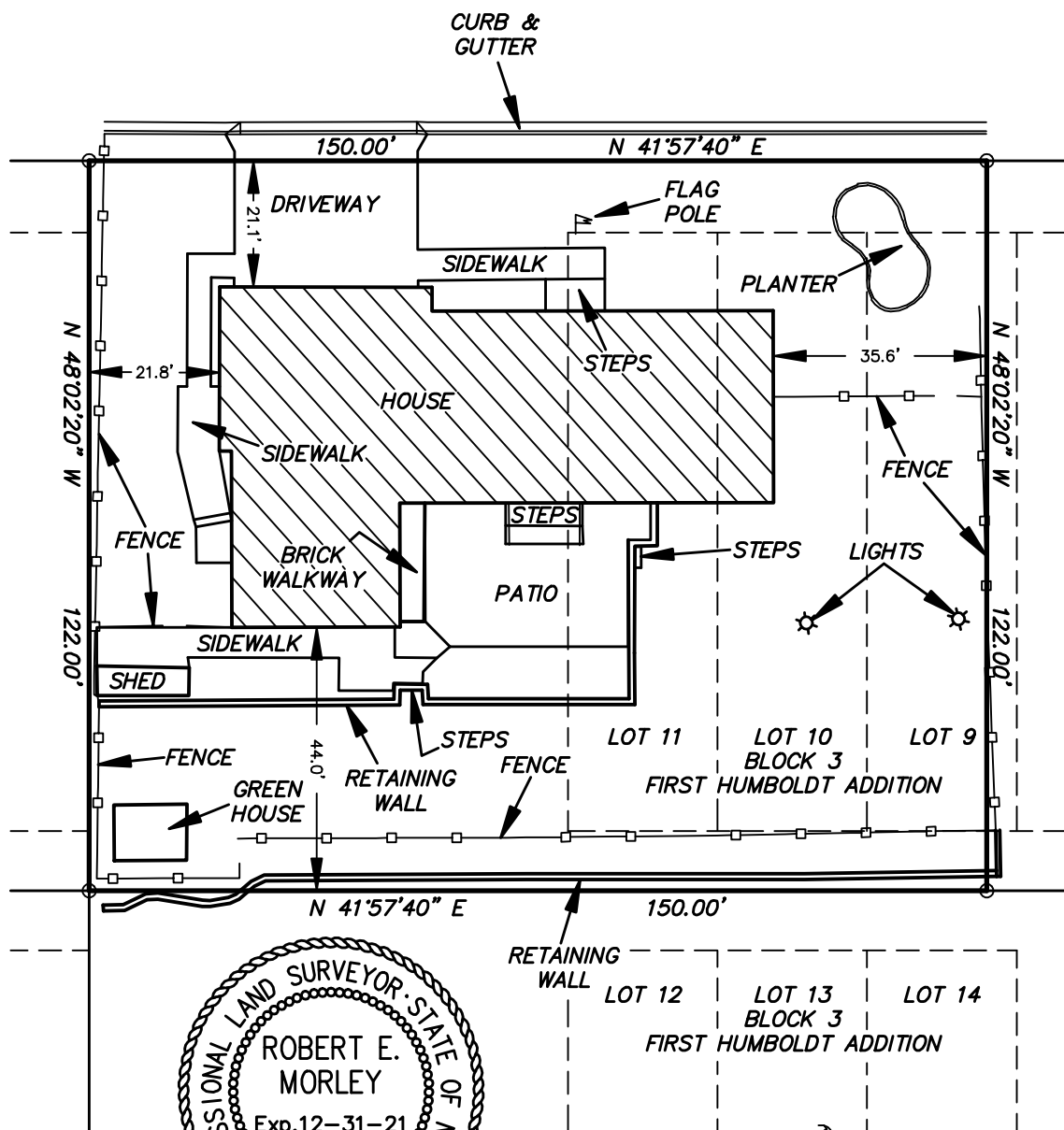
775-389-1228

Mae Stenmiger

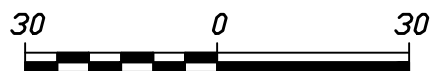
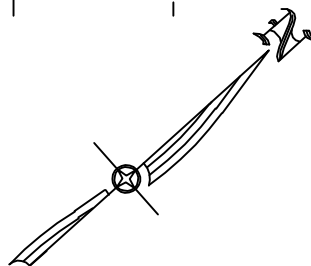
055 Mahogany Lane

738-5237

W BIRCH STREET



**SITE PLAN FOR
 RUBY MOUNTAIN ACTON
 OF A.P.N. 001-073-001
 675 W. BIRCH STREET
 ELKO, NEVADA**



SCALE: 1"=30'

**Elko City Planning Commission
Agenda Action Sheet**

1. Title: **Review, consideration, and possible action on Variance No. 3-20, filed by Real Estate Pro, LLC, to allow required off street parking to be located within the interior side yard setback for each dwelling unit proposed to occupy a series of contiguous lots in a R (Single-Family and Multi-Family Residential) Zoning District, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **August 4, 2020**
3. Agenda Category: **NEW BUSINESS, PUBLIC HEARINGS**
4. Time Required: **15 Minutes**
5. Background Information: **The property owner is proposing to build a single family dwelling on each of the 6 lots with parking located in the rear, adjacent to the alley. In order to accommodate the required off street parking, parking would encroach into the interior side yard setbacks.**
6. Business Impact Statement: **Not Required**
7. Supplemental Agenda Information: **Application, Staff Report**
8. Recommended Motion: **Move to conditionally approve Variance 3-20 based on the facts, findings and conditions presented in Staff Report dated July 20, 2020.**
9. Findings: **See Staff report dated July 20, 2020.**
10. Prepared By: **Cathy Laughlin, City Planner**
11. Agenda Distribution: **Real Estate Pro, LLC
Attn: Luke Fitzgerald
521 Mountain City Hwy, #4
Elko, NV 89801
elkoluke@gmail.com**

STAFF COMMENT FLOW SHEET
PLANNING COMMISSION AGENDA DATE: 8/4

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

Title: Variance No. 3-20

Applicant(s): Real Estate Pro, LLC

Site Location: APNs 001-0916-10 thru 015 - SE side of Fir St. Btwn 2nd + 3rd

Current Zoning: R Date Received: 7/14 Date Public Notice: 7/21

COMMENT: This is to reduce the required interior side yard setback
from 55' to 3' to accommodate required off-street parking ^{allow} + required off-street
parking to be located w/in int. side yrd. Setback for each dwelling unit in a series of lots.

If additional space is needed please provide a separate memorandum

Assistant City Manager: Date: 7/27/20

Recommend approval as presented by
Staff

SAC

Initial

City Manager: Date: 7/29/20

No comments/concerns.

CC

Initial



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

CITY OF ELKO STAFF REPORT

MEMO DATE:	July 20, 2020
PLANNING COMMISSION DATE:	August 4, 2020
APPLICATION NUMBER:	Variance 3-20
APPLICANT:	Real Estate Pro, LLC
PROJECT DESCRIPTION:	APN 001-096-010,11,12,13,14,15

Variance from 3-2-17(D)(2)a to allow required residential off street parking to be in the interior side yard setback.



STAFF RECOMMENDATION:

RECOMMEND to APPROVE subject to findings of fact and conditions as stated in this report.

PROJECT INFORMATION

PARCEL NUMBER: 001-096-010, 011, 012, 013, 014, 015

EXISTING ZONING: R- Single Family and Multiple Family Residential

MASTER PLAN DESIGNATION: Medium Density Residential

EXISTING LAND USE: Undeveloped, adjacent to developed residential

BACKGROUND:

1. The applicant is the property owner.
2. The property is undeveloped as residential land use.
3. The lots were created by File #5 in 25' wide lots.
4. The lot area is approximately 2,500 square feet. With the exception of 3-2-5(G)(2)a, it meets the lot area requirements stipulated in code.

NEIGHBORHOOD CHARACTERISTICS:

The property is surrounded by:
North: R-Residential / Developed
East: R-Residential / Developed
South: R- Residential / Developed
West: R-Residential / Developed

PROPERTY CHARACTERISTICS:

The property is currently undeveloped.
The property is fairly flat.
The property has alley access in the rear.

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 Fir Street as well as alley access.
2. Fir Street is classified as a Residential local.
3. Public alley in the rear of the lots.
4. The property is missing a small portion of sidewalk and therefore doesn't have pedestrian connectivity along Fir Street. The missing portion of sidewalk will be a condition of the approval of the Vacation 2-20 application or will be conditioned with the building permit if the vacation application is not approved.

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 future development is proposed for the principal permitted use as a single family residence, conforms 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 (5,000) square feet for an interior lot in an existing platted subdivision characterized by twenty five foot (25') wide lots and situation within a residential zoning district.
2. Minimum lot width stipulated for the district of sixty feet (60'), see ** below
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')

** A single lot or parcel of land of record in the office of the county recorder as of the effective date of the city subdivision ordinance (December 9, 1975), and which does not meet minimum requirements for lot area, lot width or lot depth shall be considered a buildable lot for one single-family dwelling, provided all other requirements of this chapter are satisfied. Therefore, this variance is for setback consideration for the off street parking in the interior side yard only.

The proposed development for the principal permitted use of a single family residence, is in conformance with Elko City Code 3-2-5(G).

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

1. The proposed development is proposing two off-street parking spaces and a driveway access off the alley into the rear yard. The property is 25' wide and two parking spaces would be a total of 18' wide leaving 3'6" on each side.
2. Elko City Code 3-2-17(D)(2)a states that no required off street parking space shall be located in a required front yard or interior side yard.

The property does not conform to Section 3-2-17 of city code. Approval of variance 3-20 to allow parking in the interior side yard setback will be required to bring the proposed development into conformance.

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: Narrow lots

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: Because of their width they don't all for required parking to be outside of interior side yard setbacks. Variance will allow the 2 required stalls to be in the interior side yard setback.

) Staff states: Because this is a legal parcel or lot created by map, File #5, the owner has the right to develop it with a single family residence. The proposed development does have special circumstances because it is proposed on a very narrow lot. The proposed principal permitted use of a single family residence is meeting all setbacks and sections of code. The parking could only meet the requirement of being outside the interior side yard setback if it was in tandem and that would create a very small footprint allowed for the home.

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

Applicant states: The other properties not so narrow.

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 allows for more off street parking.

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: Allows for compliance.

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

) Applicant states: Only affects parking.

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 is consistent with existing land uses in the immediate vicinity.
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 proposed development as a single family residence conforms to Section 3-2-4 of city code.
6. A single lot or parcel of land of record in the office of the county recorder as of the effective date of the city subdivision ordinance (December 9, 1975), and which does not meet minimum requirements for lot area, lot width or lot depth shall be considered a buildable lot for one single-family dwelling. Therefore, the minimum lot width of 60' and lot area of 5,000 sq. ft. is not required based on this exception.
7. The proposed development is in conformance with Elko City Code 3-2-5(G) for the principal permitted use of a single family residence.
8. The proposed development does not conform to Section 3-2-17 of city code. A variance for the parking in the interior side yard setback would be required to be approved for the proposed development to be in conformance.
9. In accordance with Section 3-2-22, the applicant has demonstrated that the hardship is the narrow lots created by File #5 and the required width of 18' for the 2 off street parking.
10. In accordance with section 3-2-22, the applicant has demonstrated that the property has unique circumstances based on that fact that the lots are narrow and the width of 25' minus the 18' parking required is less than the required interior side yard setbacks.
11. Granting of the variance will not result in material damage or prejudice to other properties in the vicinity. This finding is based on other similar properties within City of Elko which were built within the last 15 years.
12. Granting of the variance will not substantially impair the intent or purpose of the zoning ordinance. Single family is listed as a principal use in the underlying zone.
13. Granting of the variance will not impair natural resources.
14. The parcel is not located within a designated Special Flood Hazard Area.

STAFF RECOMMENDATION:

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

1. Variance 3-20 from Elko City Code section 3-2-17(D)(2)(a) is for approval of required off street parking in interior side yard setback with access from the alley.
2. Commencement within one year and completion within eighteen (18) months.
3. Conformance to plans approved as a part of the variance.
4. Subject to review in two (2) years if determined necessary by the planning commission.

Shelby Archuleta

From: marva santina <msantina50@hotmail.com>
Sent: Wednesday, July 29, 2020 3:46 PM
To: Shelby Archuleta
Subject: The alley between 2-3rd street between Cedar and Fir

Shelby,

I am writing in regard to a notice of a public meeting regarding variance No. 3-20 filed by Real Estate Pro, LLC, for the reduction of the required interior side yard setback and required off street parking to be located within the interior side yard setback for each dwelling unit to be proposed to occupy a series of contiguous lots in a R Zoning District, and matters related thereto.

We live at 257 Cedar Street and park in our garage off the said alley that is proposed and being suggested for more parking for the units being built. My concern would be regarding the safety and hazards it may cause to any or all of us trying to use this alley. We have lived at this address for over 40 years. In that time, during any heavy rainstorm, the alley overflows from water that runs down from 2nd street. The water has risen to our garage door at times. In the winter, the alley is extremely icy and the snow builds up and ruts form that make it difficult at best for our automobiles to come and go. There are 6 homes on Cedar that use this alleyway to access our own garages already. We already have to swing out into the lot (mostly in the winter) to get into our garages to park. My main concern would be the safety of an additional 12 cars being parked in the alley all trying to come and go. I am concerned about how that would work especially in bad weather. Invariably some accident is bound to happen trying to navigate through the maze of vehicles all parked in the alleyway. Will the City widen this alleyway, maintain the alley at all times, fix the path of water that flows down our alley? It seems like there will be way more concerns when we use the alley as a parking lot as well as a drive through.

I do not understand why parking is not being accessed from Fir Street where there is more room for parking and would definitely be less congested.

Thank you for your attention to this matter.

Marva Santina

Jim Santina

Sent from [Outlook](#)

Variance 3-20 Real Estate Pro, LLC

YPNO	assess_nam	address1	address2	mcity	mzip
001096007	AGUIRRE MICHAEL A & PAULINE	241 CEDAR ST		ELKO, NV	89801-3120
001093007	ALVARADO JAIME	225 FIR ST		ELKO, NV	89801-3120
001095005	ARMUTH MICHAEL S & VERA L	189 CEDAR ST		ELKO, NV	89801-3010
001093011	ATKINSON JANICE J	1002 2ND ST		ELKO, NV	89801-3010
001163004	BAILEY MICHAEL D TR	875 3RD ST		ELKO, NV	89801-3100
001104001	BAKER DANIEL L & KATHLEEN A	970 3RD ST		ELKO, NV	89801-3100
001092004	BOND AARON		168 ASH ST	ELKO, NV	89801-
001093010	BROWN SAMUEL M & JOANNA M	270 ASH ST		ELKO, NV	89801-3110
001095003	COLON ROBERT A TR	C/O COLON FAMILY TRUST	1850 ROYAL CREST DR	ELKO, NV	89801-3020
001093006	CRAWFORD BILLIE J	241 FIR STREET		ELKO, NV	89801-
001101008	CULVER-KURT JULIE	345 FIR ST		ELKO, NV	89801-
001101009	CUMMINGS SHAWN ALAN	333 FIR ST		ELKO, NV	89801-3120
001101001	FIGUEROA JEF	304 ASH ST		ELKO, NV	89801-3120
001096005	FOWLER CHRISTINE L	273 CEDAR ST		ELKO, NV	89801-3120
001096003	FRASER VICTORIA & DANIEL	286 FIR ST		ELKO, NV	89801-
001163012	GAVORSKY SCOTT A	878 2ND ST		ELKO, NV	89801-3010
001096008	GHRIST ROGER L TR	C/O FELIPE GHRIST TR	14968 BEACH CHERRY DR	NAMPA, ID	83651-8180
001171013	GONZALEZ-ARELLANO GERARDO	336 CEDAR ST		ELKO, NV	89801-3120
001101010	GOSS BRIAN & JEANNE	313 FIR ST		ELKO, NV	89801-3120
001093001	GUAIMI LLC	618 IDAHO ST		ELKO, NV	89801-
001095006	HAMMONS RUSSELL D & JEANETTE M	169 CEDAR ST		ELKO, NV	89801-3010
001092005	HEARD BRETT MICHAEL	188 ASH ST		ELKO, NV	89801-3010
001162004	LEVEILLE COLE G	875 2ND ST		ELKO, NV	89801-3010
001093004	LINCOLN-BYRNS REBECCA A	273 FIR ST		ELKO, NV	89801-
001163003	LOMMORI JEFFREY J	PO BOX 231		SMITH, NV	89430-0230
001093003	MARIN JOSE P & MARIA D	289 FIR ST		ELKO, NV	89801-3120
001104009	MCKINLEY MILANI G & EDRA M	1009 SARATOGA WAY		CARSON CITY	89703-
001093005	METZ ROGER D & JAMIE L TR	354 W OAK ST		ELKO, NV	89801-2930
001096009	MUNGER MATT M	VICKI AYRES	205 CEDAR ST	ELKO, NV	89801-
001093009	MUNNS BRADLEY D & TAYLOR A TR	288 ASH ST		ELKO, NV	89801-3110
001104011	MURILLO CHRISTOPHER & DESIRE	930 3RD ST		ELKO, NV	89801-3100
001092006	NEFF STEVEN M & SANDRA	185 FIR ST		ELKO, NV	89801-3020
001096004	NUTTING CLAYTON		931 3RD ST	ELKO, NV	89801-

001104013	QUINTERO REFUGIO U	2089 COLONIAL DR		ELKO, NV	89801-8440
001096014	REAL ESTATE PRO LLC			ELKO, NV	89801-
001096013	REAL ESTATE PRO LLC			ELKO, NV	89801-
001096015	REAL ESTATE PRO LLC			ELKO, NV	89801-
001096012	REAL ESTATE PRO LLC			ELKO, NV	89801-
001096010	REAL ESTATE PRO LLC			ELKO, NV	89801-
001096011	REAL ESTATE PRO LLC			ELKO, NV	89801-
001163011	ROBINSON JILLIAN	890 2ND ST		ELKO, NV	89801-3010
001104003	SAMPER IVONE M	340 FIR ST		ELKO, NV	89801-3120
001096006	SANTINA JAMES K & MARVA K TR	257 CEDAR ST		ELKO, NV	89801-3120
001104002	SCHUTTE LARRY L & ANTOINETTE E	324 FIR ST		ELKO, NV	89801-3120
001171001	SCHWANDT KATHERINE ANNE	1044 DOTTA DR		ELKO, NV	89801-2700
001096001	SMITH, MARGARET ELAINETR OF THE	976 2ND ST		ELKO, NV	89801-3010
001104010	SPENCER TONYA R	CHAPIN, GARY E ET AL	3184 ENFIELD AVE	ELKO, NV	89801-
001101002	TERRY STEVEN E & JOAN M TR	462 MEADOW VALLEY RNCH UNIT 10		ELKO, NV	89801-9400
001095004	WILLIAMS FRED & CLARA	184 FIR ST		ELKO, NV	89801-3020
001095007	WRIGHT DAVID R	145 CEDAR ST		ELKO, NV	89801-3010
001163002	WRIGHT DAVID S & ANN M	155 FIR ST		ELKO, NV	89801-3020
001092011	WRIGHT DAVID SCOTT & ANN MOSCHE	155 FIR ST		ELKO, NV	89801-3020

416

NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that the Elko City Planning Commission will conduct a series of public hearings on Tuesday, August 4, 2020 beginning at 5:30 P.M. P.D.S.T. in the Turquoise Room at the Elko Convention Center, Elko, Nevada, and that the public is invited to provide input and testimony on these matters under consideration in person, by writing, or by representative.

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

- **Variance No. 3-20, filed by Real Estate Pro, LLC, for a reduction of the required interior side yard setback from 5.5' to 3' to accommodate required off street parking and required off street parking to be located within the interior side yard setback for each dwelling unit proposed to occupy a series of contiguous lots in a R (Single-Family and Multi-Family Residential) Zoning District, and matters related thereto. The subject property is located generally on the southwest side of Fir Street, between 2nd Street and 3rd Street. (APNs 001-096-010 through 001-096-015)**

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): Real Estate Pro LLC

MAILING ADDRESS: 521 Mountain City Hwy #4, Elko, NV 89801

PHONE NO (Home): 775-303-8492 **(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.: 001096010thru015 **Address:** Fir St

Lot(s), Block(s), & Subdivision: Lot 4 thru 9 Blk 74

Or Parcel(s) & File No.: File #5

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 1/2" 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.

RECEIVED

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

3-2-17 (D) (2)

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

Narrow lots

- 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.

Because of their width they dont allow for required parking to

be outside of interior side yard setbacks

Variance will allow the 2 required stalls to
be in the interior side yard setback

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

need variance to comply with required parking

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

Other properties not so narrow

- 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.

Variance allows for more off street parking

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

Allows for compliance

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

Only affects parking

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

Only affects parking

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.: _____
Parking pad to be built with building Permit

(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 Luke Fitzgerald
(Please print or type)

Mailing Address 521 Mountain City Hwy #4
Street Address or P.O. Box
Elko, NV 89801
City, State, Zip Code

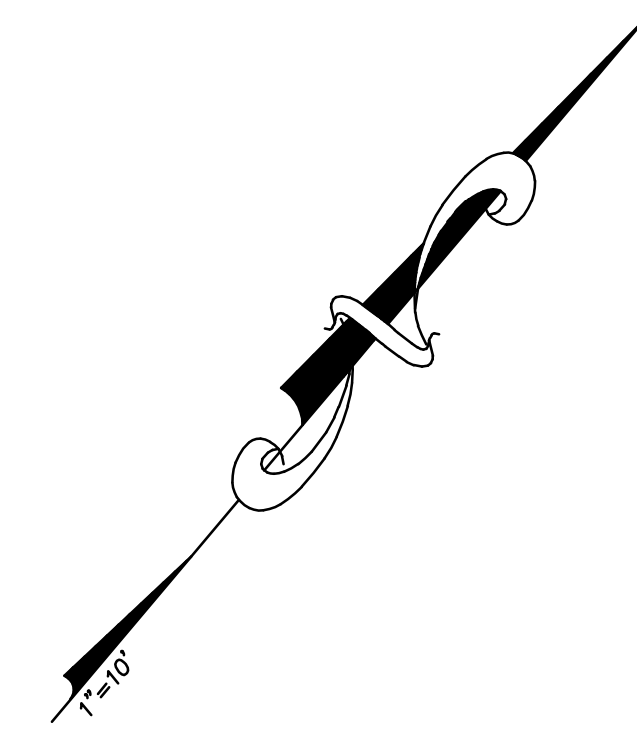
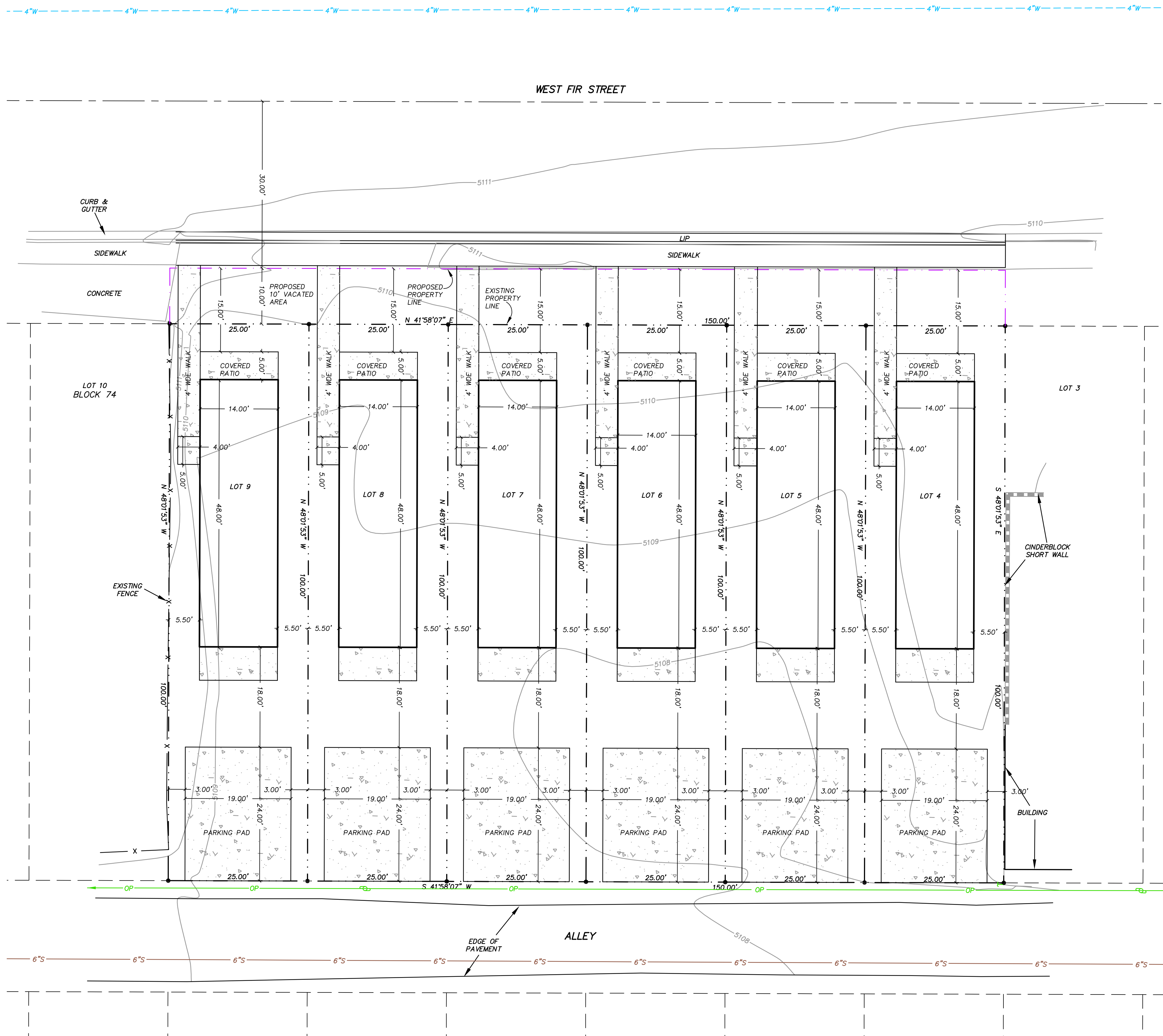
Phone Number: 775-303-8492

Email address: elkoluke@gmail.com

SIGNATURE: 

FOR OFFICE USE ONLY

File No.: 3-20 **Date Filed:** 7/14/20 **Fee Paid:** \$500 CR# 3276



PROJECT INFORMATION

1. ZONING: R - RESIDENTIAL
2. APN = 001-096-110 THROUGH 001-096-115
3. PARCEL ADDRESSES = NOT ADDRESSED
4. LEGAL DESCRIPTION = BLOCK 74 LOT 4 THROUGH 9 OF FILE NO 000005 IN THE OFFICE OF THE ELKO COUNTY RECORDER.
5. AREAS: 2500 SF EACH LOT
6. BASIS OF BEARING AND ELEVATION IS THE ELKO GRID.
7. SET BACKS:
 - FRONT YARD = 15.0 FEET
 - SIDE YARD = 5.5 FEET
 - REAR YARD = 20.0 FEET
 - REAR YARD DETACHED ACCESSORY BUILDING = 10 FEET
 - REAR YARD DETACHED ACCESSORY BUILDING ABUTTING AN ALLEY = 0 FEET

PROJECT CONTACTS

OWNER-DEVELOPER

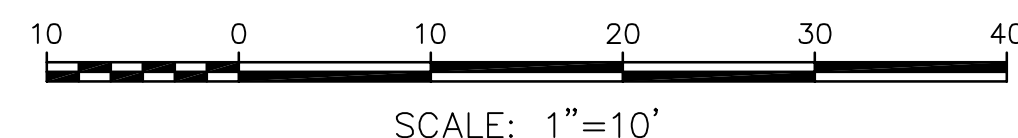
REAL ESTATE PRO, LLC
2446 CRESTVIEW DRIVE
ELKO, NEVADA 89801
CONTACT: LUKE FITZGERALD
(775) 303-8492

CIVIL ENGINEER

CARTER ENGINEERING, LLC
P.O. BOX 794
ELKO, NEVADA 89801
CONTACT: LANA L. CARTER, P.E.
(775) 397-2531

LAND SURVEYOR

HIGH DESERT ENGINEERING
640 IDAHO STREET
ELKO, NEVADA 89801
CONTACT: ROBERT E. MORLEY, P.L.S.
(775) 738-4053



DESCRIPTION		DATE	

Carter Engineering, LLC Civil Engineering P. O. Box 794 Elko, Nevada 89803 775-397-2531		
--	--	--

REAL ESTATE PRO, LLC SOUTH FIR STREET PROPERTIES PRELIMINARY SITE PLAN ELKO, NEVADA		
---	--	--

DESIGN BY: LLC	
DRAWN BY: LLC	
CHECKED BY: LLC	
DATE: 6-30-20	
JOB NO: 06-2020	
DWG NO: 2020-09	

SCALE	
HORIZ: 1"=10'	
VERT: N/A	

SHEET	
1	
OF 1	

**Elko City Planning Commission
Agenda Action Sheet**

1. Title: **Review, consideration, and possible recommendation to City Council for Vacation No. 2-20, filed by Real Estate Pro, LLC, for the vacation of the southeasterly portion of Fir Street abutting APNs 001-096-010 through 001-096-015, consisting of an area approximately 1,500 sq. ft., and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **August 4, 2020**
3. Agenda Category: **NEW BUSINESS, MISCELLANEOUS ITEMS, PETITIONS, AND COMMUNICATIONS**
4. Time Required: **15 Minutes**
5. Background Information: **The property owner is proposing to develop the six lots with single family homes and would like to vacate any excess right-of-way. City Council accepted the petition for the vacation on July 14, 2020. 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. 2-20 based on facts, findings and conditions as presented in the Staff Report dated July 20, 2020.**
9. Findings: **See Staff Report dated July 20, 2020.**
10. Prepared By: **Cathy Laughlin, City Planner**
11. Agenda Distribution: **Real Estate Pro, LLC
521 Mountain City Hwy, #4
Elko, NV 89801
elkoluke@gmail.com**

STAFF COMMENT FLOW SHEET
PLANNING COMMISSION AGENDA DATE: 8/4
Do not use pencil or red pen, they do not reproduce

Title: Vacation No. 2-20
Applicant(s): Real Estate Pro, LLC
Site Location: Fir Street, Between 2nd + 3rd Streets
Current Zoning: R Date Received: 6/23 Date Public Notice: N/A
COMMENT: This is to vacate a portion of the Fir Street
right-of-way starting APNs 001-096-010 thru 015.

If additional space is needed please provide a separate memorandum

Assistant City Manager: Date: 7/27/20
Recommend approval as presented by staff

SAW

Initial

City Manager: Date: 7/29/20
No comments/concerns.

CC

Initial



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

CITY OF ELKO STAFF REPORT

MEMO DATE:	July 20, 2020
PLANNING COMMISSION DATE:	August 4, 2020
APPLICATION NUMBER:	Vacation 2-20
APPLICANT:	Real Estate Pro, LLC
PROJECT DESCRIPTION:	APN 001-096-010,11,12,13,14,15

Vacation of the West Fir Street right-of-way



STAFF RECOMMENDATION:

RECOMMEND to APPROVE subject to findings of fact and conditions as stated in this report.

PROJECT INFORMATION

PARCEL NUMBER: 001-096-010, 011, 012, 013, 014, 015

EXISTING ZONING: R- Single Family and Multiple Family Residential

MASTER PLAN DESIGNATION: Medium Density Residential

EXISTING LAND USE: Undeveloped, adjacent to developed residential

BACKGROUND:

1. The property is undeveloped as residential land use.
2. The area proposed to be vacated is approximately 1,500 sq. ft.
3. The City of Elko has vacated other portions of West Fir Street.
4. City Council accepted the petition for vacation at their meeting July 14, 2020 and referred the matter to the Planning Commission for their review.

NEIGHBORHOOD CHARACTERISTICS:

The property is surrounded by:
North: R-Residential / Developed
East: R-Residential / Developed
South: R- Residential / Developed
West: R-Residential / Developed

PROPERTY CHARACTERISTICS:

The property is currently undeveloped.
The property is fairly flat.
The property has alley access in the rear.

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

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.

The proposed vacation is in conformance with the Master Plan Land Use component.

MASTER PLAN - Transportation:

1. The area is accessed from Fir Street as well as alley access.
2. Fir Street is classified as a Residential local.
3. Public alley in the rear of the lots.
4. The property is missing a small portion of sidewalk and therefore doesn't have pedestrian connectivity along Fir Street. The missing portion of sidewalk will be a condition of the approval and required prior to recordation.

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

REDEVELOPMENT PLAN

-) The area is located outside the Redevelopment Area.

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 accepted the petition at their meeting on July 14, 2020 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 proposed vacation is in conformance with NRS 278.479 to 278.480, inclusive.
-) The proposed vacation is in conformance with City Code 3-2-5(E) and 8-7

STAFF RECOMMENDATION:

Staff recommends the Planning Commission forward a recommendation to City Council to adopt a resolution which conditionally APPROVES the proposed vacation with the following conditions:

1. Approved conditions are to be included in the Resolution.
2. The applicant is responsible for all costs associated with the recordation of the vacation.
3. 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.
4. Required public improvements be completed within one (1) year from date of approval by the City Council of vacation 2-20.
5. The vacation will not be recorded until public improvements have been completed and accepted by City of Elko staff.

Shelby Archuleta

From: Carolyn Rand <crand@citlink.net>
Sent: Friday, July 17, 2020 2:18 PM
To: Shelby Archuleta
Cc: John Poole
Subject: Proposed Vacation No. 2-20 Fir St. & 3rd St.

Shelby
Frontier cable is aerial on a pole line in the alley. This will not effect our service.

Carolyn Rand
Frontier contractor
775 738-0281



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

July 15, 2020

Frontier Communication
Mr. John Poole
1520 Church Street
Gardnerville, NV 89410

SUBJECT: Proposed Vacation No. 2-20

Dear Mr. Poole:

Please be advised that the City of Elko Planning Department is processing a request filed by Real Estate Pro, LLC to vacate a portion the Fir Street right-of-way located generally along the northwest property lines of APNs 001-096-010, 001-096-011, 001-096-012, 001-096-013, 001-096-014, and 001-096-015. 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 August 4, 2020. Thank you for your time and effort in this matter!

If you have any questions, please contact our office at 777-7160.

Sincerely,

Shelby Archuleta
Planning Technician

Enclosures

Shelby Archuleta

From: Stephen Lifferth <stephen.lifferth@beehive.net>
Sent: Wednesday, July 15, 2020 1:01 PM
To: Shelby Archuleta
Subject: Re: Proposed Vacation No. 2-20

Hi Shelby,

Beehive has no interests in this property. Thanks for reaching out!

Thanks,

From: Shelby Archuleta <sarchuleta@elkocitynv.gov>
Date: Wednesday, July 15, 2020 at 12:57 PM
To: Stephen Lifferth <stephen.lifferth@beehive.net>
Subject: Proposed Vacation No. 2-20

Good Afternoon,
Please see attached letter regarding Vacation 2-20.
Let me know if you have any questions.
Thank you!

Shelby Archuleta
Planning Technician
City of Elko
Planning Department
Ph (775) 777-7160
FA (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

July 15, 2020

Beehive Broadband
2000 N. Sunset Road
Lake Point, UT 84074

SUBJECT: Proposed Vacation No. 2-20

To Whom It May Concern:

Please be advised that the City of Elko Planning Department is processing a request filed by Real Estate Pro, LLC to vacate a portion the Fir Street right-of-way located generally along the northwest property lines of APNs 001-096-010, 001-096-011, 001-096-012, 001-096-013, 001-096-014, and 001-096-015. 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 August 4, 2020. Thank you for your time and effort in this matter!

If you have any questions, please contact our office at 777-7160.

Sincerely,

Shelby Archuleta
Planning Technician

Enclosures

Elko Heat Company
PO Box 2347
Elko, NV 89803

RECEIVED

JUL 16 2020

July 16, 2020

City of Elko
Planning Department
Attn: Shelby Archuleta
Planning Technician
sarchuleta@elkocitynv.gov FAX 775.777.7219

Re: Proposed Vacation No. 2-20

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 interests in the affected area and/or this vacation.

Please contact us if you have any additional questions or concerns.

Sincerely,



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

July 15, 2020

Elko Heat
P.O. Box 2347
Elko, NV 89803

SUBJECT: Proposed Vacation No. 2-20

To Whom It May Concern:

Please be advised that the City of Elko Planning Department is processing a request filed by Real Estate Pro, LLC to vacate a portion the Fir Street right-of-way located generally along the northwest property lines of APN's 001-096-010, 001-096-011, 001-096-012, 001-096-013, 001-096-014, and 001-096-015. 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 August 4, 2020. Thank you for your time and effort in this matter!

If you have any questions, please contact our office at 777-7160.

Sincerely,

Shelby Archuleta
Planning Technician

Enclosures



July 22, 2020

Shelby Archuleta
City of Elko Planning Department
1751 College Avenue
Elko, Nevada 89801

RE: Proposed Vacation of a Portion of West Fir Street

Dear Ms. Archuleta:

Per your request in the letter dated July 15, 2020 regarding the proposed vacation of a portion of the West Fir Street right-of-way located generally along the northwest property line of APN 001-096-010, 001-096-011, 001-096-012, 001-096-013, 001-096-014, and 001-096-015. NV Energy does not have facilities within the area to be vacated.

If you have any questions/concerns please feel free to contact me at 775-834-5430 or at katherineperkins@nvenergy.com

Sincerely,

Katherine Perkins

Katherine Perkins
NV Energy



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

July 15, 2020

NV Energy
Mr. Jake Johnson
6100 Neil Road
Reno, NV 89511

SUBJECT: Proposed Vacation No. 2-20

Dear Mr. Johnson:

Please be advised that the City of Elko Planning Department is processing a request filed by Real Estate Pro, LLC to vacate a portion the Fir Street right-of-way located generally along the northwest property lines of APNs 001-096-010, 001-096-011, 001-096-012, 001-096-013, 001-096-014, and 001-096-015. 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 August 4, 2020. Thank you for your time and effort in this matter!

If you have any questions, please contact our office at 777-7160.

Sincerely,

Shelby Archuleta
Planning Technician

Enclosures

Shelby Archuleta

From: Amanda Marcucci <Amanda.Marcucci@swgas.com>
Sent: Monday, July 27, 2020 7:50 AM
To: Shelby Archuleta
Subject: RE: EXTERNAL: Proposed Vacation No. 2-20

Hi Shelby,

Southwest Gas has no objections to the proposed vacation No. 2-20.

Amanda



Delivering
SERVICE
FLAME

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 Archuleta <sarchuleta@elkocitynv.gov>
Sent: Wednesday, July 15, 2020 11:53 AM
To: Amanda Marcucci <Amanda.Marcucci@swgas.com>
Subject: EXTERNAL: Proposed Vacation No. 2-20

[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 letter regarding Vacation 2-20.
Let me know if you have any questions.
Thank you!

Shelby Archuleta
Planning Technician
City of Elko
Planning Department
Ph (775) 777-7160
FA (775) 777-7219

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Thank you for your cooperation.



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

July 15, 2020

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

SUBJECT: Proposed Vacation No. 2-20

To Whom It May Concern:

Please be advised that the City of Elko Planning Department is processing a request filed by Real Estate Pro, LLC to vacate a portion the Fir Street right-of-way located generally along the northwest property lines of APNs 001-096-010, 001-096-011, 001-096-012, 001-096-013, 001-096-014, and 001-096-015. 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 August 4, 2020. Thank you for your time and effort in this matter!

If you have any questions, please contact our office at 777-7160.

Sincerely,

Shelby Archuleta
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

July 15, 2020

Zito Media

Mr. Joe Bates

VIA Email: joe.bates@zitomedia.com

SUBJECT: Proposed Vacation No. 2-20

Dear Mr. Bates:

Please be advised that the City of Elko Planning Department is processing a request filed by Real Estate Pro, LLC to vacate a portion the Fir Street right-of-way located generally along the northwest property lines of APNs 001-096-010, 001-096-011, 001-096-012, 001-096-013, 001-096-014, and 001-096-015. 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.

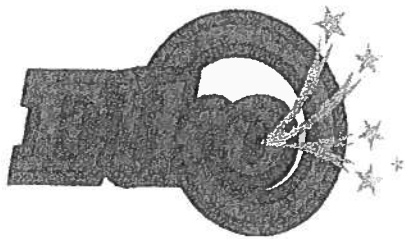
Please advise the Elko City Planning Department in writing concerning your agency's needs or interests as affected by this requested vacation, or submit a letter or email stating none of your interests are in the area, as **we are required to keep responses from all local utilities per NRS 278.480(6)**. The Planning Commission will consider this item on August 4, 2020. Thank you for your time and effort in this matter!

If you have any questions, please contact our office at 777-7160.

Sincerely,

Shelby Archuleta
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): Real Estate Pro, LLC

MAILING ADDRESS: 521 Mountain City Hwy #4, Elko, NV 89801

PHONE NO (Home) 775-303-8492

(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.: 001096010,11,12,13,14,15 **Address**

Lot(s), Block(s), & Subdivision

Or Parcel(s) & File No. 001096010,11,12,13,14,15

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 1/2" 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.

RECEIVED

OWNER(S) OF THE PROPERTY ABUTTING THE AREA BEING REQUESTED FOR VACATION:

Real Estate Pro LLC 521 Mountain City Hwy #4, Elko, NV 89801

(Name)

(Address)

OWNER(S) OF THE PROPERTY ABUTTING THE AREA BEING REQUESTED FOR VACATION:

(Name)

(Address)

1. Describe the nature of the request: Vacate 10' of City ROW behind the sidewalk

2. Describe any utilities currently located in the area proposed for vacation, and if any are present how they will be addressed: None currently, will be bringing city water in from across the street

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 Luke Fitzgerald

(Please print or type)

Mailing Address 521 Mountain City Hwy #4,

Street Address or P.O. Box

Elko, NV 89801

City, State, Zip Code

Phone Number: 775-303-8492

Email address: elkoluke@gmail.com

SIGNATURE: 

FOR OFFICE USE ONLY

File No.: 2-20 Date Filed: 6/23/20 Fee Paid: \$600 OC# 3253

EXHIBIT "A"

PORTION OF WEST FIR STREET TO BE VACATED FOR REAL ESTATE PRO, LLC

A parcel of land located in Section 15, Township 34 North, Range 55 East, M.D.B. & M., City of Elko, Nevada, being a portion of West Fir Street, more particularly described as follows:

Beginning at the most Northerly Corner of Lot 4, Block 74, as shown on Map of the First Addition to the Town (now city) of Elko, on file in the a Office of the Elko County Recorder, Elko, Nevada, as File No. 5, a point being on the Southeasterly Right of Way of West Fir Street being Corner No. 1, the true point of beginning;

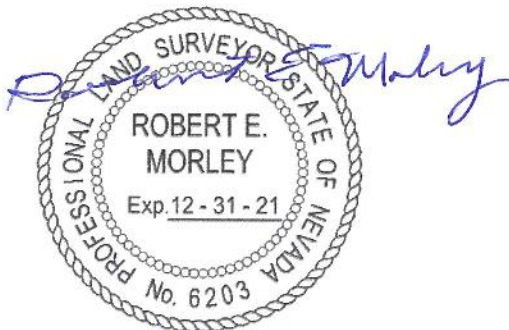
Thence S 41° 58' 07" W, 150.00 feet along the Northwesterly Lines of Lots 4, 5, 6, 7, 8 and 9 of said Block 74 and also being along the said Southeasterly Right of Way West Fir Street to Corner No. 2;

Thence N 48° 01' 53" W, 10.00 feet to Corner No. 3;

Thence N 41° 58' 07" E, 150.00 feet to Corner No. 4;

Thence S 48° 01' 53" E, 10.00 feet to Corner No. 1, the point of beginning, containing 1,500 square feet, more or less.

Reference is hereby made to Exhibit "B", Map of West Fir Street Vacation for Real Estate Pro, LLC attached hereto and made a part hereof.

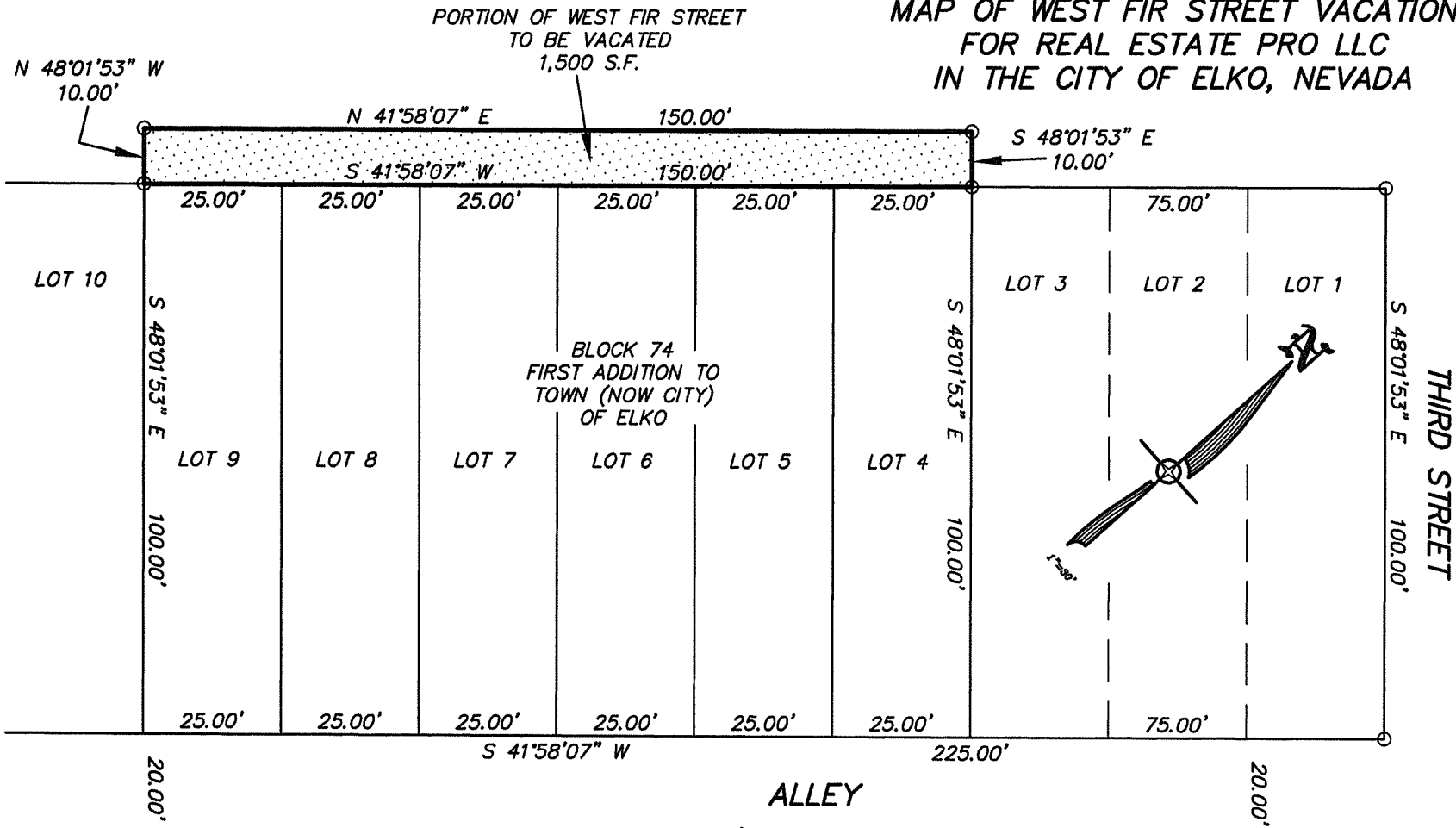


Prepared by Robert E. Morley
High Desert Engineering

640 Idaho Street
Elko, Nevada 89801

WEST FIR STREET

EXHIBIT B
MAP OF WEST FIR STREET VACATION
FOR REAL ESTATE PRO LLC
IN THE CITY OF ELKO, NEVADA



SCALE: 1"=30'

