

**CITY OF ELKO**  
**PLANNING COMMISSION**  
**REGULAR MEETING MINUTES**  
**5:30 P.M., P.D.S.T., TUESDAY, SEPTEMBER 1, 2020**  
**ELKO CITY HALL, COUNCIL CHAMBERS,**  
**1751 COLLEGE AVENUE, ELKO, NEVADA**  
**GOTOMEETING.COM**  
**<https://global.gotomeeting.com/join/472220037>**

**CALL TO ORDER**

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

**ROLL CALL**

**Present:**      **Jeff Dalling**  
                 **Tera Hooiman**  
                 **John Anderson**  
                 **Gratton Miller**  
                 **Giovanni Puccinelli**

**Excused:**      **Stefan Beck**  
                 **Vacancy**

**City Staff Present:**   **Scott Wilkinson, Assistant City Manager**  
                                 **Cathy Laughlin, City Planner**  
                                 **Michele Rambo, Development Manager**  
                                 **Bob Thibault, Civil Engineer**  
                                 **Jamie Winrod, Fire Department**  
                                 **Shelby Archuleta, Planning Technician**

**PLEDGE OF ALLEGIANCE**

**COMMENTS BY THE GENERAL PUBLIC**

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

**APPROVAL OF MINUTES**

August 4, 2020 – Regular Meeting **FOR POSSIBLE ACTION**

**\*\*\*Motion: Approve the minutes from the August 4, 2020 Meeting.**

**Moved by Gratton Miller, seconded by Giovanni Puccinelli.**

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

## **I. NEW BUSINESS**

### **A. PUBLIC HEARING**

1. Review and consideration of Tentative Map 6-20, filed by Legion Construction and Development, LLC for the development of a subdivision entitled Jarbidge Estates involving the proposed division of approximately 2.16 acres of property into 18 lots for residential development and 1 common lot within the R (Single-Family and Multiple-Family Residential) Zoning District, and matters related thereto. **FOR POSSIBLE ACTION**

Subject property is located on the west side of N 5th Street at the intersection of Rolling Hills Drive. (APN 001-610-093)

Mike Shanks, Shanks Engineering, explained that they were proposing an 18 lot townhome subdivision and that he was available to answer questions.

John Smales, Legion Construction and Development, stated he was available for questions.

Michele Rambo, Development Manager, went through the City of Elko Staff Report dated August 18, 2020. Staff recommended approval with the findings and conditions listed in the Staff Report, with a modification to Condition No. 2 from the Development Department to add "Prior to City Council consideration of Tentative Map No. 6-20."

Cathy Laughlin, City Planner, recommended conditional approval as presented.

Bob Thibault, Civil Engineer, went over the Engineering Department conditions that were listed in the Staff Report, and recommended conditional approval.

Jamie Winrod, Fire Department, had no concerns and recommended conditional approval.

Scott Wilkinson, Assistant City Manager, recommended conditional approval as presented by staff.

Paulette Harrison, Quail Circle, stated that she had some concerns regarding this proposal. Currently, the Monte Carlo Apartments and the Copperwood Apartments are on 5<sup>th</sup> Street, which present some parking issues. They seem to have quite a bit of traffic coming up and down the street. She wasn't sure at this time it would be wise to add to that burden of traffic. As a property owner, they have had their fence hit twice, and taken out by traffic on 5<sup>th</sup> Street. They would oppose any townhomes, or small residential lots, being added to the 5<sup>th</sup> Street congestion that they already experience. Ms. Harrison mentioned that she spoke to a couple of other people, some who didn't receive a notice in the mail. She hoped that the City Council would consider their feelings or stipulations that they would like to speak to. The traffic is a problem here. Also, they have quite a few people walking on 5<sup>th</sup> Street. She didn't see that it was wise to congest the area any more than already is. There is a parking issue on 5<sup>th</sup> Street in the morning and evening. She had witnessed two occasions where a vehicle had been hit because of the traffic. Ms. Harrison stated that she opposed this project.

Chairman Jeff Dalling asked Ms. Laughlin if she could address some of Ms. Harrison's concerns.

Ms. Laughlin explained that the Planning Department does the public hearing notices based on the Nevada Revised Statutes requirements. We don't go any further or beyond what the requirement by the law is. The agenda packet has the list of people that were notified. Ms. Rambo has addressed the traffic counts.

Ms. Rambo stated that she could elaborate on some of the other issues. She said they were looking at 105 average daily trips for this townhouse development. 5<sup>th</sup> Street in that area will be widened to its ultimate right-of-way width, which would include curb, gutter, and sidewalk. That would make the pedestrian traffic safer, and provide additional space for the traffic. The applicant is also proposing not only two parking spaces per townhome, but additional guest parking as well. The parking shouldn't be on 5<sup>th</sup> Street for this particular project.

Ms. Harrison asked if she was to assume that there would be no parking on the side of 5<sup>th</sup> Street from these town homes.

Ms. Rambo explained that the City couldn't restrict parking on the street, but the people inhabiting the townhouses, and their guests, should have plenty of parking within the development.

Patricia Ellefsen, Quail Circle, stated that she found out about this about 5 minutes before the meeting started from Paulette. She said she didn't know what the requirements were about letting people know, but she had no idea this was proposed. Ms. Ellefsen stated that she lives on same street as Ms. Harrison and has lived there for 27 years. She has gradually watched the traffic and safety on 5<sup>th</sup> Street be compromised by so much development. She really did think, even though the City was saying that this was an ok thing to do, the people that were the most impacted, like the people in her neighborhood and the people on Rolling Hills, didn't even know anything about this. Ms. Ellefsen said that she hasn't had a chance to look at anything, or to see what the developers are proposing. Just to know that there is talk of additional development on 5<sup>th</sup> Street when there are already so many safety and traffic issues is worrisome.

Mr. Smales wanted to mention that the access to the development would come down off of Rolling Hills Drive into the subdivision. There is going to be a good size ramp that will go down into the development. He didn't think they would get a lot of on street parking along the sidewalk, like Monte Carlo or Copperwood Apartments. There is going to be a pretty steep hill, and Mr. Smales didn't think people were going to want to walk down it. It is also going to be rip-rapped with rock or vegetation of some sort. In addition, each unit will have a two car garage and a driveway, as well as 9 guest parking stalls. There is also some additional undeveloped area, which is not designated as parking, but could be used for parking. There is still a lot of undeveloped land on N. 5<sup>th</sup> Street and it will develop more traffic over the years. Mr. Smales thought this was a much needed project, which would offer more affordable housing to the area.

Ms. Ellefsen asked Mr. Smales if he was planning to wall off the development between 5<sup>th</sup> Street and the property.

Mr. Smales said no, it wouldn't be walled off. He suggested emailing the proposed plans to Ms. Ellefsen, so she could see the proposed development.

Ms. Ellefsen thought everyone in her development and everyone that lives on Rolling Hills would like to know how this is going to go down, because it would impact everybody. You are all voting to give them a conditional approval. She assumed it was just conditional on the items that Engineering has requested. She asked if there would be any future opportunities for public comment on this item.

Chairman Dalling explained that this was just the first step. The Planning Commission is just an advisory board to the City Council. The Planning Commission gives an opinion, which goes to City Council. This item will go to City Council next, and the public will be able to give comments there as well. The City Council gives the final say.

Ms. Ellefsen asked if the Planning Commission forwarded recommendations to the City Council.

Chairman Dalling explained that the Planning Commission can recommend approval or denial. He asked Ms. Archuleta to pull up the list of property owners that received a notice for the meeting. Chairman Dalling said the notices were driven on the NRS, for how far out the notices have to go.

Ms. Ellefsen asked how many residents were actually notified.

Shelby Archuleta, Planning Technician, explained that for a Tentative Map only the direct adjacent property owners were required to be noticed. For this subdivision there were six property owners that were notified.

Ms. Harrison read off the list of property owners that were notified and asked if that was correct.

Ms. Archuleta said yes, and added that this notice was a little different, because there was also a Rezone Application and a Conditional Use Permit Application for the same property that were included in the notifications. She pulled up the list of property owners that were notified for the Rezone and Conditional Use Permit.

Mr. Wilkinson clarified that the noticing requirements are set forth in the NRS, so the City of Elko follows those noticing requirements.

Ms. Harrison still wanted to voice her concern on the density that is being put in this area. There are some nicer homes in Brookwood and that has been developed quite nicely. She wondered how they would feel if they were notified of this. She asked if there was an option to notify them and have another hearing.

Mr. Wilkinson reiterated that the noticing requirements that the City follows are specified in the NRS and City Code. There is no logical process, or assumptions, that the City can make to work outside of those noticing requirements. Neighbors can inform neighbors. There will be another Public Hearing on this item with the City Council, so if additional neighbors want to comment on the proposed project they can do that. The Planning Commission, tonight, has a public hearing before them and they can take certain action based on the evidence presented to them. It



is a recommendation from the Planning Commission to the City Council. Any final action rests with the City Council.

Ms. Laughlin added that in addition to the 26 notices that went out, the Planning Department is also required to publish the notices in the Newspaper.

Commissioner Gratton Miller wanted to clarify that 5<sup>th</sup> Street was a main Arterial road. He asked how many cars it could handle on a daily basis, and what the maximum that the road could hold was.

Chairman Dalling asked Ms. Rambo if she could answer those questions.

Ms. Rambo said she would have to look it up.

Commissioner Giovanni Puccinelli said he had a question for Mr. Smales and Mr. Shanks. He asked where the extra parking was that they were talking about.

Mr. Shanks explained that the darker shade on the map was asphalt. In the middle there is a '3' and a '1', in between that there is a wide area. That area could be enhanced for additional parking, and the stuff to the left of the '3' as well. Anything in the white area, if it's flat enough, can be expanded into parking. There are nine spaces in the common area, and every unit has a driveway that is 24' wide and fairly deep with a two car garage. They believe they have great parking. It is a long, tough walk to get from 5<sup>th</sup> Street down to the development, so they didn't see that there would be much parking encouraged on 5<sup>th</sup> Street.

Chairman Dalling thought that the developers definitely met the parking requirements. He then asked Ms. Rambo if she had the answers to Commissioner Miller's questions.

Ms. Rambo said she had some numbers. The current traffic count on that portion of N. 5<sup>th</sup> Street is 4,400 to 4,500 trips total, as of 2019. The City bases the street performance off of Level of Service. Right now, that portion of 5<sup>th</sup> Street is at a Level of Service 'B', which can hold a total of 8,000 trips until it moves to up to Level 'C'. Usually, at Level 'D' the City starts looking to upgrade the road. On a Minor Arterial, such as this, it would need to have 22,000 trips per day for the City to look at upgrading it. Right now with the 4,500 trips per day it is well below the ultimate capacity for that street.

Ms. Rambo reminded the Commission about the change she requested to Condition No. 2.

Commissioner Puccinelli asked for clarification on the change.

Ms. Rambo explained that they would need to add "prior to City Council consideration of the Tentative Map."

**\*\*\*Motion: Forward a recommendation to City Council to conditionally approve Tentative Map No. 6-20 subject to the conditions found in the City of Elko Staff report dated August 18, 2020, with modifications from the Planning Commission listed as follows:**

**Development Department:**

1. Conditional Use Permit 4-20 must be approved and all conditions be met.
2. Rezone 5-20 must be approved and in place and any/all conditions be met prior to City Council consideration of Tentative Map 6-20.
3. The subdivider is to comply with all provisions of the NAC and NRS pertaining to the proposed subdivision.
4. Tentative Map approval constitutes authorization for the subdivider to proceed with preparation of the Final Map and associated construction plans.
5. The Tentative Map and construction plans must be approved by the Nevada Department of Environmental Protection prior to submitting for Final Map approval to the City of Elko.
6. Tentative Map approval does not constitute authorization to proceed with site improvements.
7. 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.
8. A soils report is required with Final Map submittal.
9. A hydrology report is required with Final Map submittal.
10. Final Map construction plans are to comply with Chapter 3-3 of City code.
11. The subdivision design and construction shall comply with Title 9, Chapter 8 of City code.
12. The Utility Department will issue an Intent to Serve letter upon approval of the Tentative Map by the City Council.
13. Submit CC&Rs prior to approval by the City Council.
14. Add a note to the map restricting access to individual townhomes from N 5<sup>th</sup> Street.

**Engineering Department:**

1. Sheet T1 – Revise note 1. Townhome parcels should not be subject to additional easements.
2. Sheet T1 – Revise location of proposed 15-foot utility easement, to align with the sewer and to not encroach onto the adjacent parcel.
3. Sheet T3 – Revise location of proposed hammerhead turnaround for fire, to not include any unpaved areas or parking stalls.
4. Sheet T3 – Revise sewer design so that no proposed manhole turns the flow more than 90 degrees. This occurs at the manhole on Dakota Drive, and possibly at the northerly end of the existing 25-foot easement.
5. Sheet T3 – Center the proposed sewer line in the existing easement to allow adequate room on both sides for trenching.
6. All Sheets – Signature of design professional is required on final submittal.

**Fire Department:**

1. Fire Department access roads shall be provided and maintained in accordance with Sections 5-3.1.1 of the 2018 IFC.

**Public Works Department:**

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

Commissioner Puccinelli's findings to support the motion were the proposed subdivision and development is in conformance with the Land Use and Transportation Components of the Master Plan. 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, or the Wellhead Protection Program. The property is not located within the Redevelopment Area. A zoning amendment is required for the proposed subdivision. The application has been submitted to the Planning Department. In accordance with Section 3-3-5(E)(2), the proposed subdivision and development will not result in undue water or air pollution based on the following: a. There are no obvious considerations or concerns which indicate the proposed subdivision would not be in conformance with all applicable environmental and health laws and regulations. b. There is adequate capacity within the City's water supply to accommodate the proposed subdivision. c. The proposed subdivision and development will not create an unreasonable burden on the existing water system. d. There is adequate capacity at the Water Reclamation Facility to support the proposed subdivision and development. e. The proposed subdivision and development will be connected to the City's programmed sanitary sewer system. Therefore, the ability of soils to support waste disposal does not require evaluation prior to Tentative Map approval. f. Utilities are available in the immediate area and can be extended for the proposed development. g. Schools, fire and police, and recreational services are available throughout the community. h. The proposed subdivision and development will not cause unreasonable traffic congestion or unsafe conditions with respect to existing or proposed streets. i. The area is not located within a designated flood zone. Concentrated storm water runoff has been addressed as shown on the grading plan. j. The proposed subdivision and development is not expected to result in unreasonable erosion or reduction in the water-holding capacity of the land thereby creating a dangerous or unhealthy condition. The proposed subdivision is in conformance with Sections 3-3-6, and 3-3-9 through 3-3-15 of City Code. The proposed subdivision and development is in conformance with Section 3-2-3 through 3-2-5, and 3-2-17 of City Code. The proposed subdivision and development is not located in a designated flood hazard area and is in conformance with Section 3-8 of City Code. The proposed subdivision design shall conform to Title 9, Chapter 8 of City Code.

Moved by Giovanni Puccinelli, seconded by Tera Hooiman.

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

2. Review, consideration and possible recommendation to City Council for Rezone No. 5-20, filed by Legion Construction and Development LLC., for a change in zoning from AG (General Agriculture) to R (Single Family and Multiple Family Residential) Zoning District, approximately 2.415 acres of property, to allow for a proposed townhome development, and matters related thereto. **FOR POSSIBLE ACTION**

Subject property is located on the west side of N 5th Street at the intersection of Rolling Hills Drive. (APN 001-610-093)

Mr. Shanks and Mr. Smales said they were available for questions.

Ms. Laughlin went over the City of Elko Staff Report dated August 12, 2020. Staff recommended approval with the findings in the Staff Report.

Ms. Rambo had no comments or concerns.

Mr. Thibault recommended approval as presented.

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

Mr. Wilkinson recommended approval as presented by staff.

**\*\*\*Motion: Forward a recommendation to City Council to adopt a resolution, which approves Rezone No. 5-20.**

**Commissioner Miller's findings to support the motion were the proposed zone district is in conformance with the Land Use Component of the Master Plan. The proposed zone district is compatible with the Transportation Component of the Master Plan and is consistent with the existing transportation infrastructure. The property is not located within the Redevelopment Area. The proposed zone district and resultant land use is in conformance with City Wellhead Protection Plan. The proposed zone district is in conformance with Elko City Code Section 3-2-4(B). The proposed zone district is in conformance with Elko City Code Section 3-2-5. The application is in conformance with Elko City Code 3-2-21. The proposed zone district is in conformance with Elko City Code Section 3-3-5(A). The proposed zone district is not located in a designated Special Flood Hazard Area (SFHA). The proposed zone district is consistent with surrounding land uses. 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.**

**Moved by Gratton Miller, seconded by Giovanni Puccinelli.**

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

3. Review, consideration, and possible action on Conditional Use Permit No. 4-20, filed by Legion Construction and Development LLC., which would allow for a townhome development within a R (Single-Family and Multi-Family Residential) Zoning District, and matters related thereto. **FOR POSSIBLE ACTION**

Subject property is located on the west side of N 5th Street at the intersection of Rolling Hills Drive. (APN 001-610-093)

Ms. Laughlin went through the City of Elko Staff Report dated August 12, 2020. Staff recommended approval with the findings and conditions in the Staff Report.

Ms. Rambo had no comments or concerns.

Mr. Thibault recommended approval as presented

Ms. Winrod recommended approval as presented.

Mr. Wilkinson recommended approval as presented. He wanted the applicant to discuss what the exterior material would be on the proposed townhomes. Mr. Wilkinson thought the Planning Commission should consider adding that as a condition. He didn't see that level of detail in the application.

Chairman Dalling asked Mr. Shanks and Mr. Smales to discuss that and also the exterior colors.

Mr. Smales explained that they would be doing a nice architectural roof, aluminum soffit and fascia, and stucco with pop outs around the windows and doors. There are going to be two colors that will be earth tones.

Mr. Wilkinson thought a condition along the lines that the colors would be earth tones, composite shingle roof, and stucco exterior. He thought that would get them pretty close to where they need to be, so if it develops and moves forward they can have that expectation.

Chairman Dalling asked Mr. Smales and Mr. Shanks if they were ok with that condition.

Mr. Smales said it sounded excellent.

**\*\*\*Motion: Conditionally approve Conditional Use Permit No. 4-20 subject to the conditions in the City of Elko Staff Report dated August 12, 2020 with an additional condition from the Planning Department, listed as follows:**

- 1. The CUP 4-20 shall be personal to the permittee and applicable only to the submitted application conforming to the exhibits as presented.**
- 2. Landscaping shall be installed and not obstruct the view of oncoming traffic at the intersection with North 5<sup>th</sup> Street.**
- 3. CUP 4-20 to be recorded with the Elko County Recorder within 90 days after commencement of work.**
- 4. The permit shall be personal to the permittee, Legion Construction and Development, LLC and applicable only to the specific use of townhomes 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.**
- 5. Guest parking to be for guest vehicles only, no RV parking allowed on site.**

6. There shall not be any placement of any mail gang boxes or kiosks in association with this complex placed in the city's right of way and shall remain internal to the complex
7. The exterior of the building shall be compatible with surrounding areas and shall be similar to what is presented in the application.
8. The common areas are to be landscaped and maintained in an acceptable manner at all times.
9. Zone Change 5-20 to be approved and in effect prior to any construction activity.
10. Jarbidge Estates Subdivision TM 6-20 be approved.

**Planning Commission:**

1. Stucco siding, composite roofing, and earth tone colors

Commissioner Puccinelli's findings to support the motion were the proposed development is in conformance with the Land Use Component of the Master Plan. The proposed development is in conformance with the existing transportation infrastructure and the Transportation Component of the Master Plan. The site is suitable for the proposed use. The proposed development is in conformance with the City Wellhead Protection Program. The proposed use is consistent with surrounding land uses. The proposed use is in conformance with City Code 3-2-5(E) Residential Zoning District and meets the required setbacks. The proposed development is in conformance with 3-2-, 3-2-4, 3-2-17, 3-2-18, and 3-8 of the Elko City Code.

Moved by Giovanni Puccinelli, seconded by Gratton Miller.

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

4. Review, consideration and possible recommendation to City Council for Rezone No. 1-20, filed by the City of Elko, for a change in zoning from C (General Commercial) to PQP (Public, Quasi-Public) Zoning District, approximately 26,061 square feet of property, to bring the zoning district into conformance with the use of the property, and matters related thereto. **FOR POSSIBLE ACTION**

The subject property is generally located on the west corner of the intersection of S. 5<sup>th</sup> Street and S. 9<sup>th</sup> Street. (875 S. 5<sup>th</sup> Street - APN 001-472-014)

Ms. Laughlin went over the City of Elko Staff Report dated August 14, 2020. Staff recommended approval with the findings listed in the Staff Report. She explained that Condition No. 1 had been met, so that condition could be removed.

**\*\*\*Motion: Forward a recommendation to City Council to adopt a resolution, which approves Rezone No. 1-20 with the conditions listed in the City of Elko Staff Report dated August 14, 2020 with modifications from the Planning Commission, listed as follows:**

1. Variance 4-20 is approved for street line setback from South 9<sup>th</sup> Street.

Commissioner Puccinelli's findings to support the motion were the proposed zone district is in conformance with the Land Use Component of the Master Plan with the approval of



**Master Plan Amendment 2-20. The proposed zone district is compatible with the Transportation Component of the Master Plan and is consistent with the future transportation infrastructure. The property is not located within the Redevelopment Area. The proposed zone district and resultant land use is in conformance with City Wellhead Protection Plan. The proposed zone district is in conformance with Elko City Code Section 3-2-4(B) with the approval of Variance 4-20. The proposed zone district is not in conformance with Elko City Code Section 3-2-8 and requires approval of Variance 4-20 to be in conformance. The application is in conformance with Elko City Code 3-2-21. The proposed zone district is not located in a designated Special Flood Hazard Area (SFHA). 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.**

**Moved by Giovanni Puccinelli, seconded by Tera Hooiman.**

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

5. Review, consideration, and possible action on Variance No. 4-20, filed by City of Elko for a reduction of the required setback from any street line from 27' to 8.56', on the South 9<sup>th</sup> Street Line, within a PQP (Public, Quasi-public) Zoning District, and matters related thereto, **FOR POSSIBLE ACTION**

The subject property is generally located on the west corner of the intersection of S. 5<sup>th</sup> Street and S. 9<sup>th</sup> Street. (875 S. 5<sup>th</sup> Street - APN 001-472-014)

Ms. Laughlin went through the City of Elko Staff Report dated August 13, 2020. Staff recommended approval with the findings and conditions listed in the Staff Report.

**\*\*\*Motion: Conditionally approve Variance No. 4-20 subject to the condition in the City of Elko Staff Report dated August 13, 2020, listed as follows:**

**1. Approval of Rezone 1-20.**

**Commissioner Puccinelli's findings to support the motion were the proposed variance approval is in conformance with the Land Use Component of the Master Plan. The property is not located within the Redevelopment Area. The property, as developed, does not exceed the thirty-five percent of the net site area lot coverage. Approval of Variance 4-20 will bring the existing property into conformance with Section 3-2-8 of City Code. The special circumstance is directly related to the property as it is developed as a City of Elko Fire Station. The special circumstance of a fully developed property not meeting the street line setback for 9<sup>th</sup> Street with the proposed zone amendment to PQP. This circumstance does not generally apply to other properties in the district. The granting of the variance will not result in material damage or prejudice to other properties in the vicinity, nor be detrimental to the public interest, health, safety, and general welfare. The granting of the variance is directly related to the zoning of the property and will not impair the intent or purpose of the zoning and will not change the use of the land or zoning classification. The granting of the variance will not impair natural resources.**



Moved by Giovanni Puccinelli, seconded by Gratton Miller.

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

6. Review, consideration and possible recommendation to City Council for Rezone No. 4-20, filed by the City of Elko, for a change in zoning from PQP (Public, Quasi-Public) to LI (Light Industrial) Zoning District, approximately 2,800 square feet of property, to bring the zoning district into conformance with the proposed use of the property, and matters related thereto. **FOR POSSIBLE ACTION**

The subject property is located generally at the terminus of Front Street south of 5<sup>th</sup> Street. (Portion of APN 001-01R-001)

Ms. Laughlin went through the City of Elko Staff Report dated August 18, 2020. Staff recommended conditional approval with the findings and conditions listed in the Staff Report.

**\*\*\*Motion: Forward a recommendation to City Council to adopt a resolution, which conditionally approves Rezone No. 4-20 with the condition listed in the City of Elko Staff Report dated August 18, 2020, listed as follows:**

1. Parcel map to create the 2,800 sq. ft. parcel and easements as needed.

Commissioner Puccinelli's findings to support the motion were the proposed zone district is not in conformance with the Land Use Component of the Master Plan. The proposed zone district is compatible with the Transportation Component of the Master Plan. The property is not located within the Redevelopment Area. The proposed zone district and resultant land use is in conformance with the City Wellhead Protection Plan. The proposed zone district is in conformance with Elko City Code Section 3-2-4(B). The proposed zone district is in conformance with Elko City Code Section 3-2-12. The application is in conformance with Elko City Code 3-2-21. The proposed zone district is located in a designated Special Flood Hazard Area (SFHA). 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.

Moved by Giovanni Puccinelli, seconded by Tera Hooiman.

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

## II. REPORTS

### A. Summary of City Council Actions.

*Ms. Laughlin reported that there was a very busy City Council Meeting last week. They approved the Tentative Map for Tower Hill Unit 4. They also approved Resolution 8-20 for the rezone for City of Elko to sell 15 acre to the VA. City Council approved the Master Plan Amendment and Resolution 19-20 for the vacation on Fir St., There was a Public Auction for a land sale for a 3,000 square feet parcel off of Sage & Sewell. There was only*

*one bidder for that. There was also a public auction for the lease of 8 acres at the airport. There was one bidder. The City Council initiated a zone amendment for the Anthem Broadband of Nevada property. They also did the land sale for the Safelink parcel, which was two different resolutions; one to accept the fair market value based on the appraisal and the other to sell the property pursuant to the exception for economic development that the NRS allows.*

*Ms. Laughlin reported that the City had received an appeal for CUP 3-20 for Acton Academy, which was denied by Planning Commission at last month's meeting. The Attorney that filed the appeal requested it not be on the City Council Agenda until September 22<sup>nd</sup>. She also mentioned that she received a letter of resignation from Evi Buell. We will be taking to City Council on the 8<sup>th</sup> to accept the resignation and authorize staff to fill the vacancy.*

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