

CITY OF ELKO
PLANNING COMMISSION
REGULAR MEETING MINUTES
5:30 P.M., P.S.T., TUESDAY, DECEMBER 7, 2021
ELKO CITY HALL, COUNCIL CHAMBERS,
1751 COLLEGE AVENUE, ELKO, NEVADA
[HTTPS://GLOBAL.GOTOMEETING.COM/JOIN/303168685](https://global.gotomeeting.com/join/303168685)

NOTE: The order of the minutes reflects the order business was conducted.

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**
 Mercedes Mendive
 Tera Hooiman
 Stefan Beck
 Gratton Miller

Excused: **John Lemich**

Absent: **John Anderson**

City Staff Present: **Scott Wilkinson, Assistant City Manager**
 Cathy Laughlin, City Planner
 Michele Rambo, Development Manager
 Bob Thibault, Civil Engineer
 Jamie Winrod, Fire Marshal
 Shelby Knopp, Administrative Assistant

PLEDGE OF ALLEGIANCE

COMMENTS BY THE GENERAL PUBLIC

There were no public comments made at this time.

APPROVAL OF MINUTES

November 2, 2021 – Regular Meeting **FOR POSSIBLE ACTION**

*****Motion: Approve the November 2, 2021 Minutes as presented.**

Moved by Commissioner Tera Hooiman, seconded by Commissioner Gratton Miller.

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

II. NEW BUSINESS

A. PUBLIC HEARING

1. Review, consideration and possible recommendation to City Council for Rezone No. 1-21, filed by Dominion Engineering on behalf of McDonald's USA, Inc., for a change in zoning from R (Single Family and Multiple Family Residential) to C (General Commercial) Zoning District, approximately 8,812 square feet of property, to allow for a proposed redevelopment of the property, and matters related thereto.
FOR POSSIBLE ACTION

The existing parcel is currently two different zoning districts. This application is requesting to create one zoning district on the parcel consistent with the proposed redevelopment of the parcel.

Cathy Laughlin, City Planner, went over the City of Elko Staff Report dated November 18, 2021. Staff recommended approval with the findings listed in the Staff Report.

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

Bob Thibault, Civil Engineer, recommended approval with no additional comments.

Jamie Winrod, Fire Marshal, had no comments or concerns.

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

*****Motion: Forward a recommendation to the City Council to adopt an Ordinance, which approves Rezone No. 1-21.**

Commissioner Gratton Miller's findings to support the motion were the proposed rezone is in conformance with the Master Plan Land Use Component. The proposed rezone is compatible with the Master Plan Transportation Component and is consistent with the existing transportation infrastructure. The proposed rezone is consistent with City of Elko Wellhead Protection Plan. The proposed rezone is consistent with Elko City Code 3-2-4(B) & (C). The proposed rezone is in conformance with Section 3-2-10(B) C- General Commercial Zoning District. The proposed rezone is consistent with Elko City Code 3-2-17. Development under the proposed rezone 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 Commissioner Gratton Miller, seconded by Commissioner Tera Hooiman.

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

I. PRESENTATIONS

A. Presentation of a Plaque of Appreciation to Tera Hooiman for her service on the Elko City Planning Commission. **INFORMATION ONLY – NON ACTION ITEM**

Mayor Reece Keener presented Commissioner Tera Hooiman with a Plaque of Appreciation for her service on the Elko City Planning Commission.

II. NEW BUSINESS

A. PUBLIC HEARING

2. Review, consideration and possible recommendation to City Council for Rezone No. 2-21, filed by Walsh Properties LLC., for a change in zoning from GI (General Industrial) to C (General Commercial) Zoning District, approximately 18,015 square feet, to allow for a proposed commercial retail land use of the property, and matters related thereto. **FOR POSSIBLE ACTION**

The property has recently changed ownership and the new owner is proposing a commercial land use.

Lana Carter, Carter Engineering, explained that the property is currently zoned General Industrial, like much of the properties in the area. The new owners would like to utilize the property for a retail use, so the new use would fit much better in the Commercial Zone.

Ms. Laughlin went over the City of Elko Staff Report dated November 19, 2021. Staff recommended approval with the findings listed in the Staff Report.

Ms. Rambo had no additional comments or concerns.

Mr. Thibault had no additional comments or concerns.

Ms. Winrod had no comments or concerns.

Mr. Wilkinson had no concerns.

*****Motion: Forward a recommendation to City Council to adopt an ordinance, which approves Rezone No. 2-21.**

Commissioner Gratton Miller's findings the support the motion were the proposed rezone is in conformance with the Master Plan Land Use Component. The proposed rezone is compatible with the Master Plan Transportation Component and is consistent with the existing transportation infrastructure. The proposed rezone is consistent with City of Elko Wellhead Protection Plan. The proposed rezone is consistent with Elko City Code 3-2-4(B) & (C). The proposed rezone is in conformance with Section 3-2-10(B) C- General Commercial Zoning District. The proposed rezone is consistent with Elko City Code 3-2-17. The property is located in a Floodzone and therefore compliance with Section 3-8 Floodplain Management is required for any new construction or substantial improvements.

Moved by Commissioner Gratton Miller, Seconded by Commissioner Mercedes Mendive.

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

B. MISCELLANEOUS ITEMS, PETITIONS, AND COMMUNICATIONS

2. Review, consideration and possible recommendation to City Council for Revocable Permit No. 5-21, filed by Walsh Properties LLC, to occupy a portion of Silver Street right-of-way to accommodate existing off-street parking, landscaping and sign, located generally south of the intersection of Silver Street and 2nd Street, and matters related thereto. **FOR POSSIBLE ACTION**

The applicant is requesting a change of use for the parcel which will require the property be brought from legal non-conforming to conforming. A revocable license agreement to occupy the right-of-way for the existing parking and sign is required.

Ms. Carter explained that they inherited, with the property, some parking and a sign that are all located in the right-of-way. As the agenda item said, to bring this into a conforming use they are asking for a Revocable Permit for the existing improvements.

Ms. Laughlin went over the City of Elko Staff Report dated November 19, 2021. Staff recommended approval with the findings listed in the Staff Report.

Ms. Rambo had no additional comments or concerns.

Mr. Thibault had no additional comments or concerns.

Ms. Winrod had no comments or concerns.

Mr. Wilkinson had no concerns.

*****Motion: Forward a recommendation to City Council to approve Revocable Permit No. 5-21.**

Commissioner Mercedes Mendive's findings to support the motion were the proposed revocable permit is in conformance with the Master Plan Land Use Component. The proposed revocable permit is compatible with the Master Plan Transportation Component and is consistent with the existing transportation infrastructure. The property is not located in the Redevelopment Area. The proposed revocable permit brings the property into conformance with Section 3-2-17 for off street parking requirement. The property is located in a Floodzone and therefore compliance with Section 3-8 Floodplain Management is required for any new construction of substantial improvements. The proposed revocable permit brings the property into conformance with Section 3-9 for the existing sign.

Moved by Commissioner Mercedes Mendive, Seconded by Commissioner Tera Hooiman.

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

1. Review, consideration and possible approval of Final Map No. 5-21, filed by Bailey and Associates, LLC for the development of a subdivision entitled Cedar Estates Phase 3 involving the proposed division of approximately 7.31 acres of property into 34 lots for residential development within the RMH (Residential Mobile Home) Zoning District, and matters related thereto. **FOR POSSIBLE ACTION**

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

Sheldon Hetzel, Bailey & Associates, 780 W. Silver Street, Suite 104, thanked staff for all their hard work.

Ms. Rambo went through the City of Elko Staff Report dated November 10, 2021. Staff recommended conditional approval with the findings and conditions listed in the Staff Report.

Ms. Laughlin had no further comments or concerns.

Mr. Thibault had no additional comments or concerns.

Ms. Winrod had no comments or concerns.

Mr. Wilkinson had no comments or concerns.

*****Motion: Forward a recommendation that the City Council accept, on behalf of the public, the parcels of land offered for dedication for public use in conformity with the terms of the offer of dedication; that the final map substantially complies with the tentative map; that the City Council approve the agreement to install improvements in accordance with the approved construction plans that satisfies the requirements of Title 2, Chapter 3, and conditionally approve Final Map 5-21 with conditions listed in the Staff Report dated November 10, 2021, listed as follows:**

Development Department:

1. **The Developer shall execute a Performance and Maintenance Agreement in accordance with Section 3-3-21 of City code. The Performance Agreement shall be secured in accordance with Section 3-3-22 of City code. In conformance with Section 3-3-21 of City code, the public improvements shall be completed within a time of no later than two (2) years of the date of Final Map approval by the City Council unless extended as stipulated in City code.**
2. **The Performance and Maintenance Agreement shall be approved by the City Council.**
3. **The Developer shall enter into the Performance and Maintenance Agreement within 30 days of approval of the Final Map by the City Council.**
4. **The Final Map for Cedar Estates Phase 3 is approved for 34 residential lots.**
5. **The Utility Department will issue a Will Serve Letter for the subdivision upon approval of the Final Map by the City Council.**
6. **Site disturbance shall not commence prior to approval of the project's construction plans by the Nevada Department of Environmental Protection.**
7. **Site disturbance, including clearing and grubbing, shall not commence prior to the issuance of a grading permit by the City of Elko.**
8. **Construction shall not commence prior to Final Map approval by the City Council**

- and issuance of a will-serve letter by the City of Elko.
9. Conformance with the conditions of approval of the Tentative Map is required.
 10. The Owner/Developer is to provide the appropriate contact information for the qualified engineer and engineering firm contracted to oversee the project along with the required inspection and testing necessary to produce an As-Built for submittal to the City of Elko. The Engineer of Record is to ensure all materials meet the latest edition of the Standard Specifications for Public Works. The Engineer of Record is to certify that the project was completed in conformance with the approved plans and specifications.
 11. Any/All slopes greater than 3:1 shall be permanently stabilized prior to acceptance of any public improvements by the City Council.

Public Works Department:

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

Commissioner Gratton Miller's findings to support the recommendation were the Final Map for Cedar Estates Phase 3 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 3-3-21 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, 3-5-4, 3-2-17 and 3-8 of City Code.

Moved by Commissioner Gratton Miller, Seconded by Commissioner Mercedes Mendive.

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

2. Special election of Vice Chairperson for the remainder of 2021, and matters related thereto. **FOR POSSIBLE ACTION**

Pursuant to Section 3-4-1 (E) of the City Code, vacancies occurring otherwise than through the expiration of term shall be filled for the unexpired term. The planning commission appointed Ms. Tera Hooiman Vice Chairman of the Planning Commission at their special election October 5, 2021 and received her letter of resignation on November 17, 2021.

***Chairman Jeff Dalling nominated Commissioner Stefan Beck for Vice-Chairman, a vote was taken and passed.**

3. REPORTS

A. Summary of City Council Actions.

Ms. Laughlin, reported that there hadn't been too many items on the City Council agendas. On November 9th the City Council approved an amendment to a Revocable Permit for Mr. Ygoa at the Star Hotel. They also approved a revocable permit for Dale Johnson to occupy a portion Jennings Way with some landscaping and an existing fence. On November 23rd the City Council accepted the resignation of Tera Hooiman from the Planning Commission and we are currently advertising for that open position. It will be open until December 17th.

B. Summary of Redevelopment Agency Actions.

C. Professional articles, publications, etc.

1. Zoning Bulletin

D. Miscellaneous Elko County

E. Training

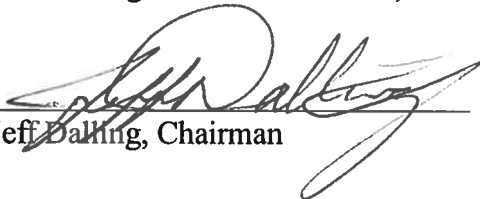
COMMENTS BY THE GENERAL PUBLIC

There were no public comments made at this time.

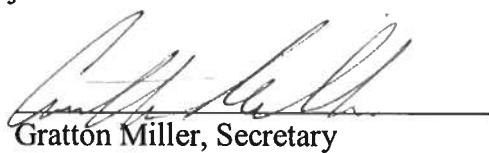
NOTE: The Chairman or Vice Chairman reserves the right to change the order of the agenda and if the agenda is not completed, to recess the meeting and continue on another specified date and time. Additionally, the Planning Commission reserves the right to combine two or more agenda items, and/or remove 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



Gratton Miller, Secretary