

CITY OF ELKO
PLANNING COMMISSION
REGULAR MEETING MINUTES
6:30 P.M., P.S.T., TUESDAY, JANUARY 6, 2015
ELKO CITY HALL, COUNCIL CHAMBERS,
1751 COLLEGE AVENUE, ELKO, NEVADA

CALL TO ORDER

The meeting was called to order by Greg Thornton, Chairman of the City of Elko Planning Commission.

ROLL CALL

Present: Greg Thornton, Jose Negrete, John Anderson, Aaron Martinez,
Joe Becker, David Freistroffer, Tera Hooiman

City Staff Present: Scott Wilkinson, Assistant City Manager
Rick Magness, City Planner
Jeremy Draper, Development Manager
Rebecca Hansen, Planning Technician

PLEDGE OF ALLEGIANCE

INITIAL PUBLIC COMMENT PERIOD

There were no public comments made at this time.

APPROVAL OF MINUTES

July 1, 2014 – Regular meeting **FOR POSSIBLE ACTION**

***** Jose Negrete moved to accept the minutes from July 1, 2014 as submitted. Aaron Martinez seconded the motion, and the motion passed unanimously.**

August 5, 2014 – Regular meeting **FOR POSSIBLE ACTION**

***** Joe Becker moved to accept the August 5, 2014 minutes as submitted. Jose Negrete seconded the motion, and the motion passed unanimously.**

September 2, 2014 – Regular meeting **FOR POSSIBLE ACTION**

***** Jose Negrete moved to accept the September 2, 2014 minutes as submitted. Joe Becker seconded the motion, and the motion passed unanimously.**

I. NEW BUSINESS

A. PUBLIC HEARINGS

1. Review and consideration of Rezone No. 7-14, filed by the City of Elko, to consider a change in zoning from GI (General Industrial), R-SA (Residential – Special Area Overlay), and PQP (Public, Quasi-Public) to PQP (Public, Quasi-Public) to clean up the zoning of the Humboldt River corridor, and matters related thereto. **FOR POSSIBLE ACTION**

The subject property is located generally along the Humboldt River corridor 975 feet east of Hot Springs Road to 370 feet east of Lyon Avenue (APN 001-01R-001).

Vern Koncher, 915 Lyon Avenue, wondered what the difference would be to his property which is currently zoned GI.

Mr. Magness explained this will not change his property at all. The only change will be to the City parcel, and we're not changing the use it will just be to clean up the zoning map.

Mr. Draper explained this was done as a quit claim deed to the City from NDOT after the completion of Project Lifesaver in 1987. When the County started doing all the GIS work they never drew that in, so when we did our zoning maps we didn't have parcel lines to go off of. The question of who owns the river came up this last year because of different issues, so Tony Ferguson in Engineering did a bunch of research and found this document. Both Engineering and Development recommend approval of the zone change.

Mr. Wilkinson noted the City Manager's office supports the zone change.

Commissioner Becker wondered if the highlighted shape matches the metes and bounds of the quit claim deed. (yes) What about the Public, Quasi-Public by Lyon Avenue that exists outside the shape?

Mr. Draper explained zoning should not be in the right-of-way, so that should be removed.

Commissioner Martinez wondered if all the property adjoining this on the northeast boundary line was public. (yes)

****Motion:** Forward a recommendation to City Council to adopt a resolution which approves Rezone No. 7-14 as presented.

Commissioner Martinez's findings are the rezone is in compliance with the City of Elko Master Plan Land Use and Transportation components, the City of Elko Redevelopment Plan, the City of Elko Wellhead Protection Plan, and City Code Sections 3-2-4, 3-2-8, 3-2-21, and 3-8.

Moved by Aaron Martinez, **Seconded by** David Freistroffer

*****The motion passed unanimously.**

2. Review, consideration and possible adoption of Resolution No. 1-14, a resolution of the Elko City Planning Commission amending the Elko City Master Plan Land Use component by adding C (General Commercial) as a corresponding zoning district under the Residential - High Density designation, the Implementation component by reorganizing and updating the projects and adding three new projects, the Land Use map by cleaning up numerous land use designations, and the Pathways map by updating the bicycle lanes and routes, and matters related thereto. **FOR POSSIBLE ACTION**

Mr. Draper explained we're trying to do at least a yearly update to the Master Plan. With the projects list we're showing which ones we've completed, which ones we've starting planning on, some BLM applications, etc. The next component is update of the Land Use designation. We needed to identify the parcel we just talked about in the previous item because it wasn't drawn at the time of the Master Plan update. We also updated around the hospital and a few other spots around the city. It's really just to make sure as we go through zone changes and the uses that are proposed we're consistent with all of that. The last map is the dedicated trails and bicycle lanes. This was presented to the Parks and Rec Advisory Board. One of the things they identified was a lot of the trails and pathways in the original Master Plan dead-end. We want to show continuity as well as extend some trails along some of the major roadways like Errecart Boulevard and 9th Street. We've also added ATV trails because we want to follow suit with the County's action of allowing ATVs on County roadways. Eventually we can also consider ATV use on roadways in certain areas. We need to modify the area of the Land Use map in the northeast corner of the City from what we have presented in the packet. We currently have it as Highway Commercial, and it's more of an industrial area.

Commissioner Becker wondered if it should go to General Industrial.

Mr. Wilkinson noted Industrial Business Park supports Industrial Business Park or Light Industrial.

Commissioner Becker wondered which is more appropriate with landscaping, cut-off screening, etc. to make it appropriate for what exists.

Mr. Wilkinson explained you could have very noxious uses in General Industrial: batch plants and gravel pits. Construction companies and lay down yards are more of a Light Industrial use, so that's more appropriate with what's already there. With Land Use project number 12 we have two parcels out there and are in the process of annexing one; maybe have that note reflect one of two instead of completed.

Commissioner Becker wondered if it needed to be another line item.

Mr. Draper noted we will update the last column to say one parcel is annexed, one parcel remaining.

Mr. Magness explained we tried to do a comprehensive update. This is in keeping with decisions made by this board, City Council, and others.

Mr. Draper asked the Commission to keep this in mind as we move forward with future projects.

Commissioner Freistroffer wondered how close the ATV trail on Lupine Street was to residences because he knows there are signs that state no off-highway vehicle use within a certain distance of residences.

Mr. Draper explained there are residences there, but for the ATV trails he tried to find existing trails. This does not designate the actual spot, it just designates an area where hopefully County would allow ATVs on their roadways.

Commissioner Freistroffer wondered if those were County roadways (yes).

Mr. Draper pointed out one trail goes out to the Interpretive Center. They also tried to find a place of convergence for a future parking lot that would allow on-load and off-load of ATVs. Mr. Magness has a great idea for ATVs coming through downtown, but this is just that first step towards designating some locations.

Mr. Koncher sells ATVs for Wright Motors. He was there when the County talked about this. People would like to be able to ride their ATVs from their homes, to a gas station, and then out of town. Otherwise, how do you get to the trails? You would need a parking lot, but there are too many people who break into your car if you park out there. He heard that a lot this year from hunters. ATV owners have to pay for a license now, and have to obey traffic laws.

On a different note, Commissioner Martinez doesn't think the Commission has the appropriate tools in order to offer residents the maximum ability to modify their property. At times he feels like we're keeping folks in a bubble because of zoning and abutting zoning requirements. One thing that could help is a mixed-use component. Has staff looked at incorporating that mixed use zoning and land use requirement that's identified in the Master Plan?

Mr. Wilkinson explained we allow mixed use with a C.U.P. in the commercial zone.

Commissioner Martinez thought we ran into a problem where we couldn't apply that because we didn't have the proper municipal code in place to do so.

Chairman Thornton also remembered that with the guy on Silver who was changing from General Industrial to Residential. If we had that zone it would've allowed that.

Mr. Wilkinson explained we just allowed residential and retail on 4th Street, so we do have the ability to meet the intent of the Master Plan for the mixed use zoning. We just don't have a mixed use zone.

Mr. Draper felt that was more appropriate on the work plan.

Mr. Magness pointed out Land Use project number 27 brings up creating a mixed-use zone.

Mr. Wilkinson explained we need to think about if mixed use is defined as mixed use on one property: i.e. retail with residential, or the whole area: i.e. residential on one property, commercial on a second property, and maybe a combination of the two on a third property. We also need to understand which development standards might be appropriate. Since this is an older part of town you might consider an overlay district where you relax some of the typical requirements such as setbacks and things like that. When we come up with a district we need to make sure we don't create a lot of problems.

Commissioner Becker noted not to mention we would be rezoning large tracts of land, and the potential public issues may be more than we care to overcome.

Commissioner Martinez didn't think they would be rezoning anything, just adding that to the toolbox. The problem is with two abutting zoning districts. This is also part of a bigger plan of smart growth initiatives where you try to identify a zoning usage that can help the city in allowing different uses which ultimately help in a better tax base because you're more widespread.

Commissioner Freistroffer brought up what they're looking for is some kind of change that allows for interfaces such as a businesses and residences to work more smoothly.

Mr. Wilkinson noted we'd need to make sure if we have a mixed-use district that it is a type of zone that could be financed for residential.

Mr. Draper pointed out the downtown mixed-use district and objectives in the Master Plan. We have a presentation later that talks about the RDA and the goals down there. We're moving in the right direction, but identifying that zone will be a long project because we have to do a lot of research.

Mr. Wilkinson wanted to modify the Land Use component by adding single family dwellings to the mixed-use district and R as the corresponding zoning district.

Ms. Hansen pointed out that would have to be noticed.

Mr. Draper felt we can do it with the next amendment.

****Motion:** Adopt Resolution No. 1-14 with the following minor amendments: on the Proposed Future Land Use Map, Exhibit B, the small area of Highway Commercial in the northeast corner gets changed to Industrial Business Park, and the status of Project No. 12 of the Land Use Projects in the Implementation component states that one of two is completed; and forward a recommendation to City Council to adopt the amendment via a resolution.

Commissioner Freistroffer's finding is the amendment is in compliance with City Code.

Moved by David Freistroffer, Seconded by Joe Becker

*****The motion passed unanimously.**

B. MISCELLANEOUS ITEMS, PETITIONS AND COMMUNICATIONS

1. Review and consideration of the 2015 City of Elko land inventory update. **FOR POSSIBLE ACTION**

Mr. Draper explained the property we just rezoned needs to be added to the inventory. We will retain it as Open Space for the Humboldt River channel and the HARP trail.

Commissioner Becker wanted clarification about the City discovering it was their property.

Mr. Draper explained it was done as a quit claim deed. Typically we base our inventory off of parcel maps. We knew it was there, but no one found the record until we started digging to determine ownership of the river.

Commissioner Martinez wondered if there has been any staff discussion about the parcels between 5th & 6th Streets where the storm drain easement is.

Mr. Magness said no and explained we need to go about this comprehensively with the changes along Manzanita, this corridor, and 5th Street. There needs to be a dollar amount attached to the study of this vacant property and what kinds of uses we would want in there. It hasn't been prioritized yet, but if it ends up on the work plan then it will be prioritized to get the attention it needs.

Mr. Draper reminded the Commission we tried to sell a portion of that, but upon sale we found out a neighbor encroached based on a letter giving them permission from the City Manager in the 1970s. Moving forward, trying to sell some of this property could be rather difficult. Please add reference number 154 to this as part of the motion.

*****Motion:** Forward a recommendation to City Council to approve an update to the City Land Inventory. The property reference number should read 154. **Moved by Joe Becker, Seconded by Jose Negrete. The motion passed unanimously.**

3. Review, consideration and development of the Calendar Year 2015 Planning Commission Annual Work Program, and matters related thereto. **FOR POSSIBLE ACTION**

Mr. Magness reported the only modification to our last work program is the date. Most training occurred on-the-job, but we are covering some redevelopment things tonight. The sign ordinance revision is comprehensive so we had to make sure the existing studies going on for the downtown would not convolute the attention we need to give to that. Rezoning the 5th Street corridor to Residential Office is a matter of notifying all those property owners which would bring all those properties facing 5th Street into compliance with the Master Plan. Rezoning the Manzanita corridor to Residential Office was identified when a property owner wanted to sell his

property but we needed to convert it to residential. Mr. Wilkinson brought up that we need to make sure that zoning will work for some of these mortgage companies. Once we clear that up we will take care of that both on 5th Street and Manzanita. Participating in the Downtown Urban Overlay code, Economic Vision, and Downtown Corridor project will give greater ownership by this group. Prioritizing the Implementation Section of the Master Plan is what we reviewed tonight. Adopting roadway design standards in conformance with the Master Plan will be ready in the first quarter. The nuisance code update is an ongoing item. A Code Enforcement Officer is being considered because the Engineering Department may have certain parts of the nuisance code to enforce, the Planning Department does, and the Police Department does, so to get continuity there needs to be some type of enforcement at a greater scale than what is happening now. Readdressing the residences is about half way through.

Mr. Draper reminded the Commission that was done in partnership with the County for dispatching purposes. Our consultant identified roughly 1,000 addresses that weren't in compliance with addressing standards: on the wrong side of the street, not in sequence, or no address or street name. We started with Southgate Mobile Home Park and did one of the Bullion Road mobile home parks. There are some hiccups because residents have to change their driver's licenses, bank accounts, etc. but in the end we have better responses for emergency services.

Commissioner Becker felt the list was overly ambitious and wanted to see the Commission tackle at least three of the items this year.

Mr. Magness wanted to revisit this quarterly to look at the progress.

Mr. Wilkinson pointed out the Urban Overlay code, Economic Vision, and Downtown Corridor will happen because they are already in progress. Maybe number them in priority.

Commissioner Martinez felt the rezoning and nuisance code needed to be high priority. As far as the downtown studies, he felt the consultants have been given 90 percent direction and wouldn't anticipate any comments being presented to them between now and July.

Mr. Magness explained there would be other opportunities. We want to really scrutinize and have our say in some of the implementation ideas.

Mr. Wilkinson thought to force the engagement, the Urban Code Overlay could be sent to the Commission and then put on the next agenda for specific comments from them. Then next month could be the Economic Study.

Mr. Magness noted they've been provided these items. I just want to make sure we're still keeping the process moving along. We closed the formal public comment period the end of December.

Commissioner Becker also wanted the rezones done, and wanted to know the earliest those could be done.

Mr. Magness thought it would be June because of the notice and hearing times.

*****Motion:** Approve the 2015 Planning Commission Annual Work Program as presented and forward it to City Council for acceptance with a modification to the adoption of roadway design standards in conformance with the Elko Master Plan initiative. The change will be a completion date of March. **Moved by** Aaron Martinez, **Seconded by** David Freistroffer. **The motion passed unanimously.**

2. Election of Officers. **FOR POSSIBLE ACTION**

Pursuant to Section 3-4-3 A. of the City Code, the Planning Commission shall elect a Chairperson, Vice-Chairperson and Secretary in January every year.

Commissioner Martinez nominated Greg Thornton as Chairperson. Commissioner Becker seconded the nomination. There were no other nominations. All votes were aye.

Chairman Thornton nominated David Freistroffer as Vice Chairperson. Commissioner Hooiman seconded the nomination. There were no other nominations. All votes were aye.

Chairman Thornton nominated Jose Negrete as Secretary. Commissioner Becker seconded the nomination. There were no other nominations. All votes were aye.

II. REPORTS

- A. Summary of City Council Actions.
- B. Summary of Redevelopment Agency Actions.
- C. Professional articles, publications, etc.
 - 1. Zoning Bulletin
 - 2. Zoning Practice
- D. Preliminary agendas for Planning Commission meetings.

Mr. Magness explained there will be a report on the Economic Study findings and the Urban Development Overlay. If there is something to review with the Downtown Corridor then we will.

- E. Elko County Agendas and Minutes.
- F. Planning Commission evaluation. General discussion pertaining to motions, findings, and other items related to meeting procedures.

Commissioner Becker wanted to review the voting order.

The Commission decided to start with the motion maker, move to the seconder, and then start on the Commission's far right and move down the aisle to the left.

G. Staff.

Mr. Magness and Catherine Wines presented an RDA update which is in the packet.

Commissioner Martinez encouraged other Commission members to come to the RAC meetings.

FINAL PUBLIC COMMENT PERIOD

Lina Blohm, RAC Chairwoman, thanked the Commission for their intensity and passion in dealing with issues that come before the City. We're all trying to reach a common goal of a vibrant downtown because if you have a deteriorating core then it reflects on the entire community. We have a mixed-use success story of on the corner of 4th and Court Streets. The open house is this Thursday between 4:00 p.m. and 6:00 p.m. We invite you to join us.

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.

Greg Thornton, Chairman

Jose Negrete, Secretary