

CITY OF ELKO
PLANNING COMMISSION
REGULAR MEETING MINUTES
6:30 P.M., P.D.S.T., TUESDAY, AUGUST 4, 2015
ELKO CITY HALL, COUNCIL CHAMBERS,
1751 COLLEGE AVENUE, ELKO, NEVADA

CALL TO ORDER

The meeting was called to order by David Freistroffer, Vice-Chairman of the Elko City Planning Commission.

ROLL CALL

Present: David Freistroffer, Jose Negrete, Aaron Martinez, Joe Becker,
Tera Hooiman

Excused: John Anderson, vacancy

City Staff Present: Scott Wilkinson, Assistant City Manager; Rick Magness, City Planner;
Jeremy Draper, Development Manager; Bob Thibault, Civil Engineer;
Rebecca Hansen, Planning Technician

PLEDGE OF ALLEGIANCE

INITIAL PUBLIC COMMENT PERIOD

There were no public comments made at this time.

I. NEW BUSINESS

A. PUBLIC HEARINGS

1. Review and consideration of Conditional Use Permit No. 6-15, filed by BPL Partnership, to construct an additional parking lot for a public administrative office facility within a C (General Commercial) Zoning District, and matters related thereto.
FOR POSSIBLE ACTION

The subject property is located generally southwest of the intersection of Ruby Vista Drive and College Parkway (1020 Ruby Vista Drive).

Floyd Fisk, High Desert Engineering, explained this item was reviewed a month ago for a zone change and now requires a conditional use permit. They don't have any issues with the conditions.

Mr. Magness pointed out that it is the desire of the developer to help alleviate some of the

parking stress. He recommended conditional approval.

Mr. Draper recommended conditional approval. The western portion of Ruby Vista Drive is in a public access easement, so public improvements are required. We will work with the property owner to dedicate it, but in the event that doesn't happen we still have public improvements completed to the end of this property.

Mr. Thibault and Mr. Wilkinson recommended approval.

Commissioner Negrete wanted clarification if this was proposed for employee parking since it is so far from the actual buildings.

Mr. Fisk explained it could be for anyone using the building, but also for the state vehicles used by employees in that building.

Commissioner Negrete said that should alleviate a lot of the parking on Ruby Vista.

Commissioner Becker commended the developer for taking a proactive step to alleviate that ahead of an increased amount of traffic on that street.

Commissioner Negrete pointed out that the traffic in the aerial was pretty light. Typically vehicles extend all the way to College Parkway.

Vice-Chairman Freistroffer wondered if they could have a red curb or 30 minute limit along the frontage.

Mr. Draper thought that wasn't appropriate at this time because we don't have an issue with traffic through there. If it becomes a problem in the future then staff can handle it.

Vice-Chairman Freistroffer felt that was reasonable as long as staff can handle it at a later time.

Commissioner Martinez wondered if that were to take place, would they only be able to apply that on the frontage of this active parcel or globally across the entire frontage.

Mr. Draper noted if staff takes care of that we can do that across the entire right-of-way. The idea is to get Ruby Vista connected to Spruce at some time which would definitely increase the traffic on here. Once that happens we'll take that into consideration.

****Motion:** Conditionally approve Conditional Use Permit No. 6-15 subject to the following conditions:

1. Conditions in the Development Department memo dated July 23, 2015 listed as follows:
 - 1) The conditional use permit is granted to the property owner allowing for the development of a parking lot for an existing office complex.
 - 2) The permit shall be personal to the property owner 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 property owner shall shield the lighting in the parking areas from shining into the adjacent residential district.
 - 4) The property owner shall extend the public improvements along Ruby Vista Drive to the western boundary of the property.
2. Conditions in the City of Elko Staff Report dated August 4, 2015 (minus the Development Department's conditions) listed as follows:
- 1) A Landscape Plan will be submitted at time of Building Permit Application. Landscaping will be provided per code. Landscaping will be properly maintained.
 - 2) Compliance with all staff conditions.

Commissioner Negrete's findings are the conditional use permit conforms 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 of Elko Code Sections 3-2-3, 3-2-4, 3-2-10 (B), 3-2-17, and 3-2-18.

Moved by Jose Negrete, **Seconded by** Tera Hooiman

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

2. Review and consideration of Rezone No. 9-15, filed by Bailey & Associates LLC, for a change in zoning from AG (General Agriculture) to R (Single-Family and Multiple-Family Residential) for the development of residential lots, and matters related thereto. **FOR POSSIBLE ACTION**

The subject property is located generally west of Sagecrest Drive approximately 665 feet north of Mountain City Highway.

Jon Bailey explained they are proposing the Autumn Hills subdivision with the lots around 7,000 – 13,000 sq. ft.

Linda Morse, 3750 Sagecrest Drive, PO Box 135, wasn't in favor of rezoning the property. Putting a dozen or more homes right there compromises the agricultural value of her property as well as taking away from the very front view of her home. She sent in a letter because she was concerned about a flood plan to handle the drainage of snow pack that comes in behind her property, onto her property, and then down into Bailey's property, and if it would be structural or non-structural. She was informed by Mr. Magness that the civil plans will take place after rezoning, so she can wait. She was also concerned about safety with the speed of the vehicles coming off of Mountain City Highway. It needs to be posted showing there is construction going on both on the 2.8 acres as well as at the other end. It also needs to be posted for Children At Play.

Mr. Bailey explained they try to address issues that could be concerns to neighbors, for example, they will provide fully enclosed fenced yards and landscaping in the front yard. They want to build a quality product that the neighbors also feel brings home values up. The homes for this cul-de-sac are quite a bit larger than the ones down below. He is very sensitive to the drainage, and will include a catch basin. He is building a 30 foot paved road all the way up to her property which would be impractical with a single house. He was also willing to do signage for the children's safety. Other than that he'll give her his business card that way if there are issues during construction they can address them right away.

Ms. Morse wondered if the houses would be one-story or two-story.

Mr. Bailey said both. He understood her view issues because she can see the mountains on the southeast, and was willing to draw the elevation of the houses in her view shed. That land slopes a good 15 feet from where her property is to the southern edge of the property, so it might not be as impactful as she thinks.

Ms. Morse was willing to work with Mr. Bailey.

Vice-Chairman Freistroffer wondered if the City has ever had a view easement. (No)

Cathy Pennington, 3732 Sagecrest Drive, explained they can't have a widespread show of rezoning opposition because there are only three homes up there. July 7th the parcel in question was changed from County to City, so now the City property butts up against their three County parcels. She actually saw that developing 13 homes there would bring their values down. They will no longer be able to do what they wish with their properties such as having a business, a nursery, or a pig farm, for example, because of the nearness to the City. She felt changing this one parcel from agricultural to residential is a form of spot zoning. There are four 2.8 acre parcels up there. If one of the four is rezoned for residential with a plan to build 13 homes it pressures the other three homeowners to make a decision about the lifestyle that they've lived for over 20 years. The city has moved in on top of them. It is the price of progress, she understood that, but on the same token they no longer have that convenience of living out of town away from the noise and light pollution. They lose the things they bought into when they built their homes. If the Commission was ready to approve the zone change she wanted it to at least consider their thoughts on the fact that a two to one ratio is plenty high enough. Along Mountain City Highway you have the dense population, and as you move into Boulder Creek and Autumn Colors you get into the single-family dwellings. As you move further away from the main road up into the County properties the population should become less dense not more dense. She understood 13 homes on 2.8 acres is considered medium density, but to her it's pretty heavy density. She hoped the Commission would consider the smaller number of homes where they can negotiate. She knew Bailey & Associates wouldn't make as much money that way and it all comes down to money, but those were her personal feelings.

Mr. Bailey clarified that all their parcels already had a City boundary. A medium density residential development is in conformance with the neighborhood. Their larger concern should probably be the property to the east because it is commercial and could be developed as big box

retail. As the city grows they may also decide to develop their properties and have them brought into the City. Limiting what's done to your neighbors would also limit what you would be able to do on your own properties at some point. He does want to be a good neighbor.

Mr. Magness pointed out the Master Plan identifies this area as medium-density residential. This was approved for annexation and already is in the City. He appreciated the neighbor's concerns. When we annex property it comes in as agricultural, and that's the designation it has until the use is established. That is what the applicant is here to do tonight. We also appreciate that the applicant is proposing larger lots than what is found in Autumn Colors, and his willingness to work with the adjacent homeowner. He recommended approval.

Mr. Draper explained the medium-density residential designation is identified as 5 - 8 units per acre. We also look at the surrounding uses, so changing this to residential is appropriate. He recommended approval.

Mr. Thibault and Mr. Wilkinson recommended approval.

Commissioner Martinez wondered if staff's recommendation was to rezone this to just a general R zoning district (Yes). Was there any consideration of R2 or any of that?

Mr. Magness explained R2 has the opportunity to have duplex or triplex, so if there's a concern about the product or the flexibility this still does not get that concern out of the way.

Commissioner Martinez was just wondering if there was an ability from a zoning perspective to mitigate the density concerns.

Mr. Magness noted that would have been mitigated in say a conditional use permit. In zoning that land is entitled. Bailey is very familiar with construction of single-family detached product and that is their intent with this.

Commissioner Martinez verified that intent with Mr. Bailey.

Mr. Magness explained the density that we're talking about is 4.5 units per acre. The zoning itself does allow for multi-family, but when you start to consider multi-family there are elements of design, parking, slope, topography, etc. that come into factor. We can say that's not feasible, but it is possible under that zoning.

Commissioner Martinez noted yes, but it also reduces the density because of those tight confinements that you discuss which then confines the parcel to a smaller buildable area.

Commissioner Becker appreciated the neighbors' perspectives, and wished they would have been here for the annexation. That would have been a better time because agricultural property inside the City is not practical, and not in conformance with our Land Use and all these other aspects. We will see this again as we divide the lot, and a lot of those other concerns can be addressed at that time. What stands before us is pretty matter of fact and straight forward.

Ms. Morse wondered how they would have known about the annexation. Would they have received a yellow postcard? They didn't.

Commissioner Becker wondered if that was a matter of them being in the County versus the City.

Mr. Magness said no it just has to do with how annexations are noticed. The way the annexation was noticed is we have our agendas that are posted prior to the meeting, and then it was advertised in the Elko Daily Free Press. That's standard through N.R.S. and our City Codes. We're complying with City Code, but I do see where that's kind of not satisfactory.

Ms. Morse said it's definitely not.

Commissioner Martinez noted during the annexation process we were under the impression of single-family lots the entire time. All of us looked at that as good for the City and conducive to that development that's already going on right there, so it seemed to make a lot of sense. From that perspective, moving forward it was always sold as single-family lots. What latitude do we have from a condition standpoint to ensure that the single-family usage is maintained through this process?

Vice-Chairman Freistroffer wondered if multi-family in R required a conditional use permit.

Mr. Magness said it does when you go to five or more units.

There was a review of the allowed multi-family uses in the R2 zoning district.

Mr. Wilkinson noted our code's progressive as you move up the chain. Here you have one and duplexes, and then three and four require a conditional use permit. Then you get into R. One through four are principal uses and then if you get five or more you have to have a C.U.P. Either way, when you get into any type of any real density up there it's going to have to come back for a C.U.P.

Commissioner Martinez's bigger concern was that the area has a huge saturation of multi-family already.

Mr. Draper explained we have had a stage one subdivision meeting with Mr. Bailey which is why you're hearing about 13 lots. He felt Mr. Bailey was focused on single-family dwellings.

Commissioner Martinez again asked what latitude they have conditionally under the R zoning. (None)

*****Motion:** Forward a recommendation to City Council to adopt a resolution which approves Rezone No. 9-15 as presented.

Commissioner Becker's findings are the zone change is in conformance 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 of Elko Code Sections 2-13-3, 3-2-4, 3-2-5(E), 3-2-21, and 3-8.

Moved by Joe Becker, Seconded by Jose Negrete

*****The motion passed with Commissioner Hooiman voting nay.**

3. Review and consideration of Rezone No. 10-15, filed by Petersen Holdings LLC, for a change in zoning from GI (General Industrial) to C (General Commercial) for the development of an automated car wash tunnel, and matters related thereto. **FOR POSSIBLE ACTION**

The subject property is located generally on the southwest corner of the intersection of Railroad Street and 12th Street (APNs 001-363-003 and 001-363-006).

Commissioner Negrete sat out for this item.

Lana Carter, Carter Engineering, representing the applicant explained this type of facility fits better in a commercial zone. The zone also conforms a little better because there is commercial across the street.

Mr. Magness explained this application helps bring the very old general industrial designations downtown into better conformance with the Master Plan mixed-use component. This is also within the redevelopment area. The development that is going to occur is of a commercial use. By having the property designated as commercial, it helps eliminate industrial uses that can happen within the downtown. The use will be accessed off of Railroad Street, so there won't be stacking of vehicles on 12th Street. He recommended conditional approval.

Mr. Draper, Mr. Thibault, and Mr. Wilkinson recommended approval.

Commissioner Becker felt this was another great opportunity to put more of a commercial buffer between the downtown corridor and onerous industrial uses that we wouldn't particularly like in the downtown area.

****Motion:** Forward a recommendation to City Council to adopt a resolution which conditionally approves Rezone No. 10-15 subject to the conditions in the August 4, 2015 Planning Commission packet listed as follows:

1. Landscape requirements will be per code.
2. Comply with Development Department Memorandum dated July 21, 2015.
3. Comply with all other Department conditions.

Commissioner Martinez's findings are the zone change is in conformance 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 of Elko Code Sections 2-13-3, 3-2-4, 3-2-10(B), 3-2-21, and 3-8.

Moved by Aaron Martinez, Seconded by Joe Becker

*****The motion passed with Commissioner Negrete sitting out.**

4. Review and consideration of Conditional Use Permit No. 7-15, filed by Discount Tire Co. with authorization from MP Elko LLC, to allow an automobile tire sales and repair facility within a C (General Commercial) Zoning District, and matters related thereto. **FOR POSSIBLE ACTION**

The subject property is located generally on the southerly side of Mountain City Highway approximately 180 feet west of Argent Avenue (2645 Mountain City Highway).

Ms. Carter was representing MP Elko, LLC who has a potential client, Discount Tire, for the Sears building.

Mr. Magness recommended conditional approval. He understood landscaping already exists, so if there are any improvements for this particular parcel the applicant will submit a landscaping plan to demonstrate that it meets code. He then read the Building Department's condition.

Ms. Carter stated that the applicant is fine with all the conditions.

Mr. Draper recommended conditional approval, but wanted to add a third condition that the vacation be approved and recorded prior to the issuance of any building permits. The applicant requested the vacation be tabled at the City Council meeting.

Mr. Thibault recommended approval.

Mr. Wilkinson recommended approval, but wanted the Commission to consider a condition for landscaping the NDOT right-of-way.

Ms. Carter wanted to make sure NDOT wasn't already doing that as part of their improvements. (No) She would pass that along to the owners, MP Elko, LLC.

There was more discussion about the proposed and existing landscaping.

****Motion:** Conditionally approve Conditional Use Permit No. 7-15 subject to the conditions in the City of Elko Staff Report dated August 4, 2015, adding a condition to the Development Department's conditions listed as follows:

Development Department:

1. The conditional use permit is granted to the property owner allowing for the development of an automotive tire store within a commercial shopping center.
2. The permit shall be personal to the property owner 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. Vacation of the easement shall be approved and recorded before the building permit is issued.

Planning Department:

1. Applicant building elevations to comply with submitted renderings regarding materials, design, etc. Elevations to be approved at time of Building Permit Application by Planning Department.
2. Applicant will be responsible to maintain cleanliness at all times.
3. Signage will require a separate application with the Building Department and be subject to the City's Sign Ordinance.
4. All utilities, equipment will be properly screened.
5. A Landscape Plan will be submitted at time of Building Permit Application. Landscaping will be provided per code. Landscaping will be properly maintained.
6. Compliance with all staff conditions.

Building Department:

1. If any portion of the building is closer than 10 feet from the property line, fire resistant construction shall be provided per 2009 IBC. If the fire resistant construction cannot be provided, then a no build easement shall be recorded with the adjacent property. This easement shall provide 20 feet of separation between the existing structure and all future structures on the adjacent parcel(s). It appears both the East and West ends of the building do not meet the required setbacks.

Commissioner Negrete's findings are the conditional use permit conforms 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 of Elko Code Sections 3-2-3, 3-2-4, 3-2-10 (B), 3-2-17, and 3-2-18.

Moved by Jose Negrete, Seconded by Tera Hooiman

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

B. MISCELLANEOUS ITEMS, PETITIONS, AND COMMUNICATIONS

1. Review and consideration of Final Plat No. 7-15 for the Tower Hill Unit 3 subdivision, filed by Jordanelle Third Mortgage LLC, for the division of approximately 10.735 acres into 27 lots for residential development within an R1 (Single Family Residential) Zoning District, and matters related thereto. **FOR POSSIBLE ACTION**

The subject property is located approximately 380 feet southwest of Stitzel Road along the extension of Deerfield Way (APN 001-920-079).

Mr. Fisk was here to answer questions. Tom Ballew has already addressed a lot of the concerns in staff's memos and NDEP's concerns.

Mr. Magness recommended approval.

Mr. Draper explained this is 3 of 4 phases, but phase 4 will not be built at this time because this is really the top end that we can service out of the 5,400 level tanks. He recommended conditional approval. He thought NDOT verification already happened at the Preliminary Plat stage, but wanted to keep that condition in there just in case. Condition 3 had to do with the shared-use pathway on the southwest side of Lamoille Highway. He wanted to remove condition 14 because he spoke with the engineer who explained the developer plans to do curb, gutter, and sidewalk to define the back of lot 318 before phase 4 is built.

Vice-Chairman Freistroffer wanted to make sure the City and developer have settled on what the equivalent amount of improvements on the shared-use path meant. (Yes)

Mr. Thibault recommended conditional approval, but wanted to strike conditions 3, 5, and 8.

Mr. Wilkinson recommended approval.

****Motion:** Forward a recommendation to City Council to conditionally approve Final Plat No. 7-15 subject to the conditions in the August 4, 2015 Planning Commission packet striking the Development Department's condition 14, and Engineering Department's conditions 3, 5, and 8 listed as follows:

Development Department:

1. Conformance with Preliminary Plat conditions.
2. Verification from NDOT that a traffic study is not required is a recommended condition for approval of the final plat to support a finding that the development will not create unreasonable traffic congestion at the intersection of Pinion road and State Route 227. The verification is required prior to Council; consideration of the final plat.
3. Public improvements are required on the State Route 227 frontage or on the south southwest side of the State Route in accordance with NDOT approval. As previously agreed upon, Unit 3 will be responsible for the equivalent of 442 LF of frontage improvements on the SW side of Lamoille Highway. The City of Elko shall provide the design for this work.
4. A soils report is required.
5. A hydrology report is required. Conformance with Section 9-8 post-construction runoff is required.
6. Civil improvements are to comply with Chapter 3-3 of City code.
7. The Utility Department will issue a Will Serve letter after the Council approval of the Final Plat. The will serve will be for the 27 lots in Unit 3.
8. Final approval for civil improvement plans. The Development Department is reviewing the civil improvement plans and will have comments at a later date.
9. State approvals for the subdivision.
10. The Developer shall complete all required subdivision improvements within two (2) years. Approval of the Final Plat shall expire if within two (2) years the applicant has not

completed the required subdivision improvements. The applicant may request an extension of time as provided for under provisions of City code.

11. A Performance Agreement with regard to the dedicated public improvements is required within 30 days of Council approval of the final plat.
12. Appropriate security is required **prior** to the City of Elko Certifying the Final Map as required in 3-3-45.
13. A modification of standards in accordance with 3-3-70 is required for lot 318, stating that the lot as configured provides sufficient depth for the lot.
15. The Assessor's parcel number on sheet 1 in the Assessor's and Treasurer's certificates will need to be updated after the recordation of Unit 1 and Unit 2.

Engineering Department:

1. The Assessor's parcel number on sheet 1 in the Assessor's and Treasurer's certificates will need to be updated after the recordation of Unit 1 and Unit 2.
2. The legal description on sheet one will need to be updated after the recordation of Unit 1 and Unit 2.
4. Consider showing the total length of the rear line of Lot 308 instead of the 37.87 feet that is the "L4" portion of the distance.
6. Show the tangent or radial bearing for curves C3, C28 and C27.
7. Change the year in the City Council signature block to 2015.

Fire Department:

1. Fire Department access shall comply with the requirements of the 2009 International Fire Code chapter 5 section 503, and Appendix D section D107 as follows:

D107.1 One- or two-family dwelling residential developments. Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.

Exceptions:

1. Where there are more than 30 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3 of the International Fire Code, access from two directions shall not be required.
2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.

This section requires that one- and two-family dwelling subdivisions with more than 30 dwellings have more than one fire apparatus access road into the development. The second access road is needed in case one access road for any reason becomes unusable. The two access roads must also be remote from one another as required by Section D104.3 to reduce the likelihood that both access roads would be compromised by a single fire or other emergency event.

Exception 1 states that when there are more than 30 dwelling units equipped throughout with an approved sprinkler system in accordance with NFPA 13, 13R or 13D, as applicable or approved, a second access road is not required. This recognizes the effectiveness and reliability of properly designed and installed automatic sprinkler systems in mitigating the need to have two access points.

Exception 2 requires approval by the fire code official any time a new house is constructed on an existing access road. Once the maximum number of dwelling units allowed by this section has been reached, no further development may occur unless the fire code official determines that there will be a future road connection that will prevent creation of an excessive dead-end situation with no means for apparatus turn-around. Such determination by the fire code official should consider the phased-development of an individual project or adjacent projects. Requiring evidence of legal agreements for specific future development would be prudent, especially in times of economic uncertainty. This gives the fire code official an opportunity to assess whether additional access is required in the interim.

2. Please demonstrate the existing access easement meets the requirements of the 2009 International Fire Code chapter 5, section 503 and will be maintained as such or provide fire suppression as an approved exception as listed.
3. Fire protection water supply and access shall be provided prior to combustibles on site.
4. Fire protection water supply shall be provided as required by the 2009 International Fire Code chapter 5, section 507. Fire flow demand and duration shall be determined in compliance with the 2009 International Fire Code Appendix B and listed on the utility sheet. Documentation the required Fire flow can be achieved shall be obtained from the City of Elko Engineering Department and provided in the revised plan submittal.
5. Fire protection water supply shall be determined public or private by the city of Elko Utilities Director and clearly labeled on plan.
6. Fire hydrants shall be provided and spaced in compliance with the 2009 International Fire Code Appendix C. Please provide a utility plan depicting the full subdivision.
7. A detailed phasing plan shall be provided for the entire subdivision. Phasing plan shall detail the required fire department access and water supply for each phase.

Planning Department:

1. Compliance with all staff conditions.

Public Works Department:

1. Public improvements required at time of development per City Code.

Utilities Department:

1. Plan is conditionally approved subject to acceptable water model completion and State approval of said water model.

Commissioner Martinez's findings are the final plat is in conformance 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 of Elko Zoning Sections 3-2-3, 3-2-4, 3-2-5(B), 3-2-5(G), 3-2-17, 3-2-28, 3-8, Chapter 3, and Title 9 Chapter 8.

Moved by Aaron Martinez, Seconded by Joe Becker

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

2. Review, consideration and possible action to re-elect officers with terms to last until the regular January 2016 election due to the resignation of the Chairman, and matters related thereto. **FOR POSSIBLE ACTION**

Commissioner Becker nominated Aaron Martinez for Chairman. There were no other nominations. The vote was unanimous.

II. REPORTS

A. Summary of City Council Actions.

B. Summary of Redevelopment Agency Actions.

Mr. Magness reported Logan Simpson presented a revised corridor plan. Staff spent time with them to put a cost to the development: \$17 million for the whole corridor. There was still a little bit of concern about the parking, a reduction of about 20 percent which will be replaced with open space and amenities. Staff is tasked with finding the money which will dictate how we phase this. We'll be going over the same basic approach with the Economic Study and the Urban Design Overlay. He was willing to forward the information to the Commission which is also available on the website: elkocity.com.

C. Professional articles, publications, etc.

1. Zoning Bulletin

2. Zoning Practice

D. Preliminary agendas for Planning Commission meetings.

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 wondered how they should approach comments from County constituents. Should their comments formulate my thinking?

Mr. Wilkinson explained we believe the 300 foot notice requirement ignores that line.

Mr. Magness said this is a public forum, and then gave an example of the City Council meeting regarding how we treat the flag standard and what we fly. People from the County spoke up at that meeting and were allowed to have their say. You can weigh in your own mind something like that person lives in Ryndon so why would they be worried about a City variance, etc.

Commissioner Becker said we all work for the City and they are in the County. He felt that was important for the Commissioners to remember.

Mr. Wilkinson explained in the past we didn't have an issue where the neighbors didn't understand annexations were going on. The problem is where that ever ends if you try to go outside the requirements for noticing.

Ms. Hansen noted perhaps the reason was rezones typically run right with the annexation and with the rezone they do get the yellow postcard.

G. Staff.

Mr. Magness reported that this year's Nevada American Planning Association conference is September 13, 14, and 15 in Reno at UNR. He wanted to send some of the Commissioners. Please get with us by Monday to let us know.

Vice-Chairman Freistroffer wanted to know who all volunteers by Monday.

Commissioner Negrete wondered if they had to attend all three days. (No)

FINAL PUBLIC COMMENT PERIOD

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.

David Freistroffer, Vice-Chairman

Jose Negrete, Secretary