

**CITY OF ELKO**  
**PLANNING COMMISSION**  
**REGULAR MEETING MINUTES**  
**6:30 P.M., P.D.S.T., TUESDAY, SEPTEMBER 1, 2015**  
**ELKO CITY HALL, COUNCIL CHAMBERS,**  
**1751 COLLEGE AVENUE, ELKO, NEVADA**

**CALL TO ORDER**

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

**ROLL CALL**

Present: David Freistroffer, Aaron Martinez, Joe Becker, Tera Hooiman,  
John Anderson

Excused: Jose Negrete, Vacancy

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

**PLEDGE OF ALLEGIANCE**

**INITIAL PUBLIC COMMENT PERIOD**

There were no public comments made at this time.

**APPROVAL OF MINUTES**

February 3, 2015 – Regular meeting **FOR POSSIBLE ACTION**

**\*\*\*Motion:** Approve the City of Elko Planning Commission minutes from February 3, 2015 as presented. **Moved by** David Freistroffer, **Seconded by** Joe Becker. **The motion passed unanimously.**

February 17, 2015 – Special meeting **FOR POSSIBLE ACTION**

March 3, 2015 – Regular meeting **FOR POSSIBLE ACTION**

**\*\*\*Motion:** Approve the February 17, 2015 as well as the March 3, 2015 minutes as submitted. **Moved by** Joe Becker, **Seconded by** David Freistroffer. **The motion passed unanimously.**

**I. NEW BUSINESS**

**A. PUBLIC HEARINGS**

1. Review and consideration of Variance No. 4-15, filed by YESCO on behalf of Gold Rush Real Estate LLC, for the placement of a free-standing sign in a rear yard location instead of the required street frontage location within a C (General Commercial) zoning district, and matters related thereto. **FOR POSSIBLE ACTION**

The subject property is located generally on the south side of Ruby Vista Drive approximately 165 feet east of Doerr Drive (2640 Ruby Vista Drive).

TJ Woodhall, Gold Rush Harley Davidson, believes a pole sign at the rear of the property will be more visible for all traffic coming into town and off of the freeway. He felt if they put that size sign in the front it would disrupt the street frontage.

Mr. Magness explained the speed limit is 35 mph which would allow a 35 foot high sign, but the applicant only wants a 25 foot high sign. The area behind this property is zoned light industrial. This will allow him to market himself better. It was considered a viable opportunity to locate the sign where it could be seen more visibly from I-80. He recommended conditional approval.

Mr. Draper pointed out he referenced the wrong section of City code in his memo: 3-2-5(F) Residential Office, but the rest of the memo is correct. He recommended approval.

Mr. Magness explained we need to identify that there isn't the same ability if the applicant were to put the sign on the frontage as compared to the rear of the property. Staff recognized there was an opportunity under code for the applicant to market himself better. He again pointed out the applicant could have had a 35 foot high sign, but only wants a 25 foot high sign at the rear of the property which would meet some of the objectives of the Master Plan.

Mr. Thibault recommended conditional approval.

Commissioner Freistroffer wondered if Mr. Thibault would be okay with the Planning Department's second condition if it were to include the words "including footings".

Mr. Thibault was fine with that. He just wanted the applicant to understand the site plan may be incorrect.

Mr. Carson recommended approval.

Mr. Wilkinson didn't have any concerns.

Commissioner Becker wondered if they need to make sure the extents of the sign themselves stay out of the easements as well.

Mr. Thibault didn't think that was as much of a concern. The utility companies just need to be able to dig in the easements. Typically there are signs that overhang even our street right-of-ways.

Commissioner Freistroffer pointed out that one of the application requirements is that the special circumstances do not generally apply to other properties in the same zoning district. In his opinion this applies to many properties. His fear is the variance would be the rule on Ruby Vista and Doerr to get signage facing I-80.

Mr. Draper said that is a good point, and then highlighted an example: Elko Junction Shopping Center. It's possible other properties in a commercial zone that are a similar distance away from I-80 could request the same variance, and that may be something we need to address in code.

Chairman Martinez felt the sign code was outdated. This is conducive to the other side of the highway as Mr. Draper mentioned. However, do we want to be the crutch that stops a business from further stimulating itself and being able to create better economic growth by adding a sign to get more exposure? This will set a precedence, and any business on that street will most likely try to follow suit. Realistically, why would we want to stop them from promoting their business or growing? We want to be careful with our variances, and this board has been very good at being consistent in trying to find that threshold of what allows them or not.

Commissioner Freistroffer agreed. He had that comment in his notes about the Land Use allowing for development, but it clearly states variances are supposed to be for circumstances that don't generally apply. We have two things in conflict so we can go either way.

Mr. Thibault pointed out how from the freeway you wouldn't be able to see the sign if it was placed in the front of the property because of the topography. That might be something that doesn't apply to other properties along the freeway.

Mr. Wilkinson thought they could also include in the findings that even when granting a variance we are still meeting the intent of the sign code because we're not creating clutter etc.

Chairman Martinez felt the findings needed to be clearly stated because this will come up in the future. Another aspect that's pretty important is the adjoining parcels are commercial and light industrial. We haven't received any responses from the adjoining parcels have we?

Ms. Hansen explained a neighbor inquired about the variance and said he would send in comments, but he never did.

Mr. Draper noted the intent of the sign code is for safe, effective signage. Effective is the key word here because traffic counts are what's needed for this particular business.

Mr. Woodhall isn't here to try to overstep boundaries. Rich from Cummins approached him and would rather see the sign at the back instead of the front so as not to take away from Cummins' signage.

Commissioner Becker wondered if the sign would be fully lit throughout the night on the northerly side. If so, will that be a nuisance to the new apartments and townhouses?

Mr. Magness explained it wouldn't because it's a backlit panel. The distance is about a football field away from the residential, but that's a good point. It would be more advantageous to have it in the rear yard.

Mr. Woodhall was more than happy to put the sign on a timer to turn off at night if that would help.

**\*\*Motion:** Conditionally approve Variance No. 4-15 subject to the conditions in the Elko City Staff Report dated September 1, 2015 with a modification to the Planning Department's seconding condition listed as follows:

**Engineering Department:**

1. Dimensions on the site plan indicating sign location are unclear. The sign will be a minimum of 11 ft. from the rear lot line and a minimum 6 ft. from the side lot line to be outside of existing easements. (The easement shown along the side lot line on the site plan as 10 ft. wide is actually only 5 ft. on each side of the lot line per file no. 578740).

**Planning Department:**

1. Sign height, color and style will be according to submitted renderings / elevations.
2. Sign location including the footings will not encroach into easements or property boundary lines.

Commissioner Freistroffer's findings are the variance is in congruence with the City of Elko Master Plan Land Use component, the City of Elko Redevelopment Plan, and the City of Elko Code Sections 3-2-17 and 3-2-22. Due to the specific topography of this property with the elevation above Interstate 80 this sign would have such less visibility that it would not be an effective sign, and the code stipulates that we have effective signage.

**Moved by David Freistroffer, Seconded by Tera Hooiman**

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

**B. MISCELLANEOUS ITEMS, PETITIONS, AND COMMUNICATIONS**

1. Review, consideration and discussion of the Calendar Year 2015 Planning Commission Annual Work Program, and matters related thereto. **NON-ACTION ITEM**

Mr. Magness wanted to revisit the work program to see where we can be effective.

Chairman Martinez wondered how much we've actually accomplished and what the Commission has done to help push this along. The truth is there hasn't been much participation. Is there something on there you would like added or removed?

Commissioner Becker felt the sign ordinance is something they should consider after the discussion tonight. A little more latitude might be beneficial. We all recognize there are deficiencies in that code.

Mr. Magness explained other entities have very specific code, so in some aspects it's not stringent enough. Perhaps a Commissioner could work with staff to understand that and bring it back for presentation.

Mr. Wilkinson said we probably want to have more restrictive standards for certain areas of the community. It's probably pretty comprehensive and involved to really work through that.

Chairman Martinez thought it was important to prioritize what we have, and hoped the Commissioners would be willing to be project champions to spur these along. He felt the revisions to code and zoning could be knocked out quickly. The vision study, corridor project, and code overlay are moving along and will govern what the city does over the next few years, so having a Planning Commission liaison will create a better team overall. Nuisance code would be next, then the Master Plan implementation update, road standards, and training. He didn't have anything to add, but would be willing to help with the sign ordinance and the urban code overlay.

Commissioner Becker was willing to assist with the zoning overlay changes.

Chairman Martinez felt it was important for the Commissioners to recognize the scope of participation. You can make it what you want. You're not obligated to do any of them. Staff is available at our discretion to assist. We can provide direction to staff on what we need from them and then come back with some sort of modified work product, or simply be a liaison at some of the RAC meetings to help the Commission be more comprised of what's going on throughout the city because there are several committees making determinations for the city that we don't usually get to hear about. Feel free to mull this over, we don't need any commitments today.

Commissioner Freistroffer thought staff could propose where they see the Commission can participate.

Commissioner Becker wanted to see a map at the next meeting with the parcels along 5<sup>th</sup> Street and Manzanita that have been identified for revised zoning.

Commissioner Freistroffer's priority was the Urban Overlay Code process because that will steer how downtown will look for the long future. It is also the most difficult. Maybe there is a way to present what other communities have done.

Chairman Martinez agreed, but the shortfall is we're coming in on the tail end of the Urban Code Overlay and Economic Vision Study. They're about 90 percent completed.

Mr. Magness explained they are in final draft form, but the Redevelopment Advisory Council and the Redevelopment Agency are still working on some things.

Chairman Martinez felt they still have the ability to learn from this document and start to react in their daily decisions.

Mr. Wilkinson said we're right in the middle of having RAC and RDA take action on these plans. We'll have a better update of where those are heading next month.

Chairman Martinez wanted to try to make the Commission a better team and that is through participation and learning some of these items. We get thrown quite a few items, so having background information in other portions of the community or projects can only make us better.

Commissioner Becker would also like to see language for a bulk mailer to those whose zone will change as well as the neighbors who might be impacted in the buffer zone. He wondered if a bulk rezoning has ever been done.

Mr. Wilkinson explained we tried to do three to five properties downtown, but one property owner right in the middle didn't want to consider that rezone.

## **II. REPORTS**

A. Summary of City Council Actions.

B. Summary of Redevelopment Agency Actions.

Mr. Magness reported RDA made a decision to put some limitations on the corridor plan. Staff and the consultant have been directed to look at a \$5 million base price and what that product will look like. They also allowed for two add alternates of \$2.5 million each if those funds can be acquired. The maximum the downtown corridor could be is \$10 million. There are numerous property owners interested in the storefront program. At the end of last month we completed an inter-local agreement between the RDA and the City which will allow that to happen. The potential architects who will be on staff to help with that will do oral presentations on September 9<sup>th</sup>. Now that we got some direction on the downtown corridor the next one in line will probably be the Urban Design Overlay to get that to a point where we can implement it. Finally we'll come back to the Economic Study because there are some things that really need to be assessed and revised. The way it's written right now it's difficult to implement.

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.

G. Staff.

## **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.**

---

Aaron Martinez, Chairman

---

Jose Negrete, Secretary