

**CITY OF ELKO**  
**PLANNING COMMISSION**  
**REGULAR MEETING MINUTES**  
**6:30 P.M., P.S.T., TUESDAY, NOVEMBER 3, 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 Elko City Planning Commission.

**ROLL CALL**

Present: David Freistroffer, Jose Negrete, Aaron Martinez, Joe Becker,  
John Anderson

Absent/Excused: Tera Hooiman, Jeff Dalling

City Staff Present: Scott Wilkinson, Assistant City Manager; Bob Thibault, Civil Engineer;  
Jeremy Draper, Development Manager; 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**

April 7, 2015 – Regular meeting **FOR POSSIBLE ACTION**

**\*\*\*Motion:** Approve the April 7, 2015 minutes as presented. **Moved by** David Freistroffer,  
**Seconded by** Joe Becker. **The motion passed unanimously.**

**I. UNFINISHED BUSINESS**

**A. PUBLIC HEARINGS**

1. Review, consideration, and possible recommendation to City Council for Rezone No. 11-15, filed by Gary and Peter Hanington with authorization from R Hank Woody LLC, for a change in zoning from C (General Commercial) to IC (Industrial Commercial) to allow a light duty machine shop, and matters related thereto. **FOR POSSIBLE ACTION**

The subject property is located generally on the northeast corner of the intersection of Idaho Street and 3<sup>rd</sup> Street (303 Idaho Street).

Commissioner Freistroffer announced he needed to sit the item out.

Mr. Draper stated we would like to table this item indefinitely at the request of Mr. Hanington.

Commissioner Becker wondered what indefinitely meant.

Mr. Draper explained they'll get back to us when they're ready to pursue the zone change.

**\*\*\*Motion:** Table Rezone No. 11-15 indefinitely until staff brings it back to our attention.  
**Moved by Joe Becker, Seconded by Jose Negrete. The motion passed unanimously.**

## II. NEW BUSINESS

### A. PUBLIC HEARINGS

1. Review, consideration, and possible recommendation to City Council for Rezone No. 13-15, filed by MRP, LLC, for a change in zoning from PQP (Public, Quasi-Public) to C (General Commercial) to allow development of professional offices, and matters related thereto. **FOR POSSIBLE ACTION**

The subject property is located generally on the northeast corner of the intersection of Ruby Vista Drive and College Parkway (APN 001-620-058).

Pedro Ormaza, PO Box 339, explained they would like to rezone the property because as it is it's limited.

Mr. Draper pointed out the Land Use component of the Master Plan identifies this as high density residential, however when we sold the property we put a deed restriction on it restricting multi-family residential. Additionally, per City Code Section 3-2-4, the only time we have to be in strict conformance with the Land Use component of the Master Plan is when we are considering annexation. He continued going over his memo and recommended approval.

Mr. Thibault recommended approval.

Mr. Carson was in support of Rezone No. 13-15.

Mr. Wilkinson said the City Manager's office recommends approval. The Master Plan anticipated a transitional use which multi-family would be, so a more intense use at this intersection would be appropriate.

Chairman Martinez thinks of this area as signature Elko. Staff eluded to a pertinent point in terms of future development, the multi-family restriction on the deed itself. The neighborhood has already spoken in the form of trying to restrict multi-family in this area. The over-saturation

of multi-family in Elko is becoming more prominent. He didn't feel every neighborhood needed to have a multi-family buffer zone, and in this situation would be against it. From his understanding, the Public, Quasi-Public zone allows professional offices. What part of this zone doesn't meet the needs of what you'd like to do with the property?

Mr. Ormaza's understanding was this needed to be rezoned to allow medical offices. He has no intention of putting in high density multi-family. There was a thought about perhaps putting in a duplex or fourplex as temporary housing for some of the people working there who come from out of town, but it was not set in concrete.

Chairman Martinez was not in favor of any multi-family on this property.

Mr. Wilkinson said it's not clear that professional or medical offices are envisioned under PQP.

Chairman Martinez felt it was similar enough to public administrative offices, and the PQP zone allows for a good conditional use permit process to allow us to go that route. However, he wasn't even proposing the PQP zone was the most appropriate. We throw around General Commercial, but as we grow as a community we can get more defined zoning districts. Perhaps we could go to CT which still allows the CUP process.

Mr. Wilkinson said the intent of his comment about high density residential being transitional was to show that we envision that area being a more transitional type use whether it be residential or commercial. You're right on point in the fact that we might have a zone which might be better suited, however we can't change this application midstream.

Mr. Ormaza wondered if he would have to get a conditional use permit for everything he built there if he went to the CT zone.

Mr. Wilkinson said no.

Commissioner Negrete said CT would fit your needs and would even allow for multi-family with a conditional use permit.

Chairman Martinez said it's important for you to understand what we're proposing, the CT district which is a transitional district versus just general commercial. It does have some requirements under the CUP process, so it's important for you to take a moment after this meeting to review those. We have to run the course of this item all the way to City Council and it would be with a recommendation for a CT district, and then we'd have to run this process again to actually rezone this property.

Commissioner Becker said wouldn't it be denied?

Commissioner Freistroffer said we would recommend denial to City Council with comments.

Mr. Wilkinson wondered if Mr. Ormaza could withdraw the application or if we have to have the hearing with City Council.

Ms. Hansen said he could withdraw it.

There was continued discussion about whether to withdraw the application and reapply for CT, and the length of time of doing that versus letting the application go through as is.

Chairman Martinez said this is just what we're proposing as a solution, but if you feel like you want to go General Commercial feel free to state why. We're having a hard time understanding why that meets the continuity of that area.

There was more discussion about needing a conditional use permit for the residential no matter what and it had to be five units or more.

Mr. Wilkinson said we don't want light residential uses in our commercial zones.

Mr. Ormaza asked what the advantage of going CT versus C would be.

Chairman Martinez explained there really isn't an advantage, but CT is more restrictive than General Commercial. You have a lot more ability to do whatever you want under General Commercial.

Commissioner Freistroffer said that's part of the objection.

Commissioner Negrete said I think you would get a more favorable result if you went CT.

Mr. Ormaza said that's fine, we'll go with CT.

Mr. Wilkinson said you'll need to formally withdraw your application here for the record and indicate you're going to reapply for CT.

Chairman Martinez recommended he review what that is line by line once he gets home and has some time to go through that.

Mr. Ormaza stated he would formally withdraw and reapply for CT.

**NO ACTION WAS TAKEN**

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

1. Review, consideration, and possible action on Temporary Use Permit No. 3-15, filed by Nouhgt Technologies, LLC, for the use of a graveled area as a temporary employee parking lot within a C (General Commercial) Zoning District. **FOR POSSIBLE ACTION**

The subject property is located generally on the westerly side of 30<sup>th</sup> Street approximately 130 ft. northwest of Manzanita Lane (a portion of 545 30<sup>th</sup> Street).

Commissioner Becker disclosed Newmont is mentioned as part of the application. However, neither he nor his wife who both work for Newmont have any contractual obligations as part of this.

Mr. Draper explained the applicant lives in Canada and couldn't make it tonight. He told the applicant if there were any concerns with the staff conditions to respond in writing, but he never got anything. The applicant completed public improvements along Manzanita Lane and 30<sup>th</sup> Street a couple years ago. The applicant would like this permit for about 3-6 months. He went over his memo and recommended conditional approval. The applicant indicated they will pave the area during the next construction season. Therefore, he recommended 12 months rather than six months because six months is the start of the paving season in Elko.

Mr. Thibault and Mr. Carson recommended approval.

Mr. Wilkinson recommended approval. The Park and Ride situation is unique to Elko. We need to expand our code to allow for a park and ride situation. We're probably looking to relax that hard surface requirement.

Commissioner Negrete wondered if this is already being used as a park and ride facility. (Yes) Isn't it already Newmont?

Commissioner Becker said no, it's Jerritt Canyon of which Mr. Dickson was a previous owner or VP.

Chairman Martinez wondered if any of the parcel was paved.

Mr. Draper showed where it is paved on the overhead.

Mr. Wilkinson added 1,200 feet of Manzanita improvements were completed in association with that use which is a big commitment. We are looking at getting an easement from U.P. to connect Silver and Manzanita.

Chairman Martinez verified that if this doesn't go with the continuity of future development it can be revoked.

Mr. Wilkinson said it expires.

**\*\*Motion:** Conditionally approve Temporary Use Permit No. 3-15 subject to the conditions listed in the Elko City Development Manager's memo dated October 22, 2015 listed as follows:

Development Department

1. The proposed use meets the requirements of city code 3-2-3-C-5
2. The use is permitted for a period of 12 months
3. The temporary use applies to APN 001-560-097
4. No parking associated with this temporary use will be allowed to take place on Manzanita Lane, striping and signage may be required.

5. Temporary lighting with the use of a light plant will be allowed until the parking area can be developed in accordance with Elko City Code 3-2-17. Lighting shall be directed such that it is not directed toward vehicles travelling on either 30<sup>th</sup> Street or Manzanita Lane.
6. Trackout from the graveled parking area into the right of way will be swept daily.

Public Works

1. No parking on Manzanita in association with this use.

Commissioner Freistroffer's findings are the temporary use permit is in conformance with the City of Elko Master Plan Land Use and Transportation Components, and the City of Elko Code Sections 3-2-3-C-5 and 3-2-8.

**Moved by David Freistroffer, Seconded by Jose Negrete**

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

2. Review, consideration, and possible recommendation to City Council for Vacation No. 6-15, filed by the City of Elko, for the vacation of two public utility easements and one overhead electric distribution easement located within APNs 001-630-086, 001-630-088, and 001-630-089, consisting of areas approximately 10 feet in width by 445 feet in depth, 10 feet in width by 989 feet in depth, and 10 feet in width by 992 feet in depth, respectively, and matters related thereto. **FOR POSSIBLE ACTION**

The subject properties are located generally on the southerly side of Silver Street, east and west of S. 15th Street.

Mr. Draper recommended approval. He went over his memo explaining these were for power lines which have been relocated as part of the Police station project.

Mr. Thibault and Mr. Wilkinson recommended approval.

Commissioner Becker verified we're just abandoning them because they're no longer needed.

Mr. Draper said yes and explained they're an encumbrance on the property which prevent the location of buildings and other amenities.

**\*\*\*Motion:** Forward a recommendation to City Council to adopt a resolution which conditionally approves Vacation No. 6-15 subject to the condition that a written response from all non-City utilities is on file with the City of Elko with regard to the vacation in accordance with N.R.S. 278.480(6) before the order is recorded. **Moved by Joe Becker, Seconded by David Freistroffer. The motion passed unanimously.**

### **III. REPORTS**

- A. Summary of City Council Actions.

B. Summary of Redevelopment Agency Actions.

Mr. Wilkinson reported the RDA set a budget and accepted a conceptual design for the downtown corridor which keeps the general alignment of the streets and the parking centrally located. They asked us to look at continued refinements and possible diagonal head-in parking. On average that would add six parking spaces per block. With the head-in parking you would have to shift the road to maintain the 26 ft. width for fire response. The Urban Design Overlay has been reviewed by legal counsel. The hope is to sort through his issues and have that adopted into the RDA Plan by January. We need to do that before we can roll out the Storefront program. We have an architect selected for the pre-application process and are hoping to roll out that program by late January.

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.**

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Aaron Martinez, Chairman

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Jose Negrete, Secretary