

CITY OF ELKO
PLANNING COMMISSION
REGULAR MEETING MINUTES
6:30 P.M., P.S.T., TUESDAY, NOVEMBER 3, 2009
ELKO CITY HALL, 1751 COLLEGE AVENUE, ELKO, NEVADA

CALL TO ORDER

The meeting was called to order by Chairman Jeff Thompson.

Roll Call.

Present: Jeff Thompson, Rich Perry, Reece Keener, John Anderson,
Brent Elmore, Doug Owen, Alene Sutherland.

City Staff Present: Ed Wynes, City Planner
Curtis Calder, City Manager
Delmo Andreozzi, Assistant City Manager
Scott Wilkinson, Development Manager
Mike Hecht, Deputy Fire Chief/ Fire Marshal
Jim Conner, City Councilman
Kelly Watson, Planning Technician

APPROVAL OF MINUTES: October 6, 2009 – Regular Meeting

Motion: approve the October 6, 2009, regular meeting minutes,

Action: Approve, **Moved by** Doug Owen, **Seconded by** Brent Elmore.

Vote: Motion passed (summary: Yes = 6, No = 0, Abstain = 1).

Yes: Rich Perry, Reece Keener, John Anderson, Brent Elmore, Doug Owen, Alene Sutherland.

Abstain: Jeff Thompson.

I. PUBLIC COMMENT PERIOD

This agenda item is to provide time for the general public to address the Planning Commission regarding items of concern not specifically listed on the agenda. Action cannot be taken at this time, but a matter can be set on the agenda for a future meeting, as appropriate.

There were no comments made at this time.

II. NEW BUSINESS

A. MISCELLANEOUS ITEMS, PETITIONS AND COMMUNICATIONS

1. Request for an extension of Temporary Use Permit No. 1-05, filed by Elko County Juvenile Probation Department to allow for an extension for the temporary placement of a manufactured modular building for use as a temporary office and matters related thereto. **ACTION ITEM.**

The subject property is located at the Elko County Juvenile Facility site on the south side of Silver Street, approximately 500' west of Errecart Boulevard (665 West Silver Street).

Chairman Thompson indicated the applicant had submitted a written request to table this item to a future meeting.

****Motion:** Table Temporary Use Permit No. 1-05 to a future meeting by request of the applicant,

Action: Table, **Moved by** Doug Owen, **Seconded by** Rich Perry.

Vote: Motion carried by unanimous roll call vote (summary: Yes = 7).

Yes: Jeff Thompson, Rich Perry, Reece Keener, John Anderson, Brent Elmore, Doug Owen, Alene Sutherland.

2. Review and consideration of a request for Temporary Use Permit No. 1-09 filed by Boys & Girls Clubs of Elko, Inc., to allow the placement and use of a modular building at Southside Elementary School for administrative offices and matters related thereto. **ACTION ITEM.**

The location of Southside Elementary School is generally at the intersection of Wilson Avenue and South 9th Street (501 South 9th Street).

Gary Morfin, Chairman of Boys & Girls Club said we are requesting a temporary use permit for a modular at Southside School. There used to be a modular located on the property and they still have the existing pads. Newmont Mining has donated this modular and will pay for it to be moved to the site. We went to the School District Board and they gave us a letter of understanding to place the modular on the pad so staff only will be using this modular. He referred to two modulares now being used by the Boys & Girls Club at Southside shown on the aerial view as displayed with Pictometry on the overhead projector. They are currently being occupied by the kids. We went through the process of the State and the staff didn't see any major issues.

Fernando Vargas, Executive Director of the Boys & Girls Club said our greatest challenge right now is space. He gave information regarding the number of children that are utilizing the Boys and Girls Club and the increase in attendance when the weather gets colder. Our administrative office is located in one of the buildings the school has given us and we want to make that space available to the kids and move our offices to this building donated by Newmont. He gave an overview of the programs being offered currently at the Boys & Girls Club.

Mr. Wynes said the application has been reviewed. We have some history related to the placement of structures on the pads. We do recommend approval of this application subject to the seven conditions contained in our Staff report.

Mr. Wilkinson said the Development Department is also recommending a conditional approval of this permit with five conditions as listed in our memo dated October 27, 2009, from the department to the Elko City Planner. Some of those conditions are duplicate of the Planning Department.

Mr. Hecht indicated the drive thru gate must be 20' instead of 12' as is indicated on the map.

Mr. Morfin indicated there was a big gate located to the south by Lyon Avenue that stays open during business/class hours and wanted confirmation of which gate Mr. Hecht meant.

Mr. Hecht noted it was the new gate being put in that needed to be 20'.

Chairman Thompson said he's talking about just above the cross.

Mr. Morfin said that's no problem. We'll just put a post in there and extend that.

Mr. Hecht said that gives us access to the playground area and the whole back area for other purposes than fire too.

Mr. Andreozzi said we support a conditional approval.

Planning Commission discussion

Chairman Thompson said normally we only approve temporary use permits for two years. Is the reason we're extending that due to the use and other modular units already on the site?

Mr. Wilkinson said I believe their request is for five years. I think this would be appropriate for this type of activity. It's not a business activity. If we went for a lesser period of time they'd probably be back asking for an extension as they work through some of their space issues.

Mr. Wynes said it is going to take them a minimum of five years probably to find a new location and they may even have to come back and ask for an extension.

Commissioner Perry asked the applicants if they read the conditions contained in the Staff reports.

Mr. Morfin said we have and we will make sure during construction all of the items will be addressed.

Commissioner Perry asked about the condition regarding the modular not being used during school hours. Is there a particular reason why that's a condition?

Mr. Wynes said that was something the applicants indicated and we want to make sure there is no interference with regular school hours.

Chairman Thompson asked if that was something the school district wanted.

Commissioner Perry said this is an administrative building and asked if that was really one to leave in the conditions.

Mr. Wynes noted it could be dropped if agreeable to both parties.

Chairman Thompson asked Mr. Wilkinson if all of the conditions for the Development Department are included in the Planning Department Staff report.

Mr. Wilkinson said not all of them. Some are redundant but if it is conditionally approved based on both memos that would be appropriate.

Commissioner Perry asked about the condition regarding metered water. There was a building here once before. Isn't this hooked up to the school on a main line?

Mr. Wilkinson said no and noted there are separate meter pits for the unit.

Mr. Hecht asked what needed to be done to make the current administration building usable by students.

Mr. Morfin said students and administration are both using the buildings and have been.

Mr. Vargas said the buildings we are using now were used as classrooms last year and when they moved the 5th and 6th graders to Flagview they were lent to us. I believe they are all up to code and the school district owns them.

Mr. Hecht said that answers my question. When you talk about changing offices to areas being used by students the requirements change.

Commissioner Keener asked if the conditions in the packet as presented by Mr. Wynes were fine because there's nothing in there about the FEMA requirements and do they need to be addressed.

Mr. Wilkinson said my suggestion is that conditions from both memos be included in the motion.

Motion: conditionally approve Temporary Use Permit No. 1-09, Action: Approve, Moved by Rich Perry, Seconded by Doug Owen.

Subject to the following conditions:

- 1. This Temporary Use Permit shall be for five (5) years from the date this application is approved.**
- 2. If for any reason this unit is removed within the five (5) year period, this permit becomes null and void for any other unit to be located on this site.**
- 3. The unit shall be connected to all City utilities and electricity with metered water.**
- 4. The unit shall be appropriately skirted.**
- 5. The unit shall be ADA compatible.**
- 6. The applicants shall file a status report as to the current use of the building every year on or before October 1.**
- 7. Rear access for fire is maintained with a twenty foot (20') gate.**
- 8. The structure is set in compliance with FEMA requirements.**
- 9. Meets all other City requirements.**

Vote: Motion carried by unanimous roll call vote (summary: Yes = 7).

Yes: Jeff Thompson, Rich Perry, Reece Keener, John Anderson, Brent Elmore, Doug Owen, Alene Sutherland.

3. Review and consideration of Annexation No. 4-09, filed by Dennis and Carla Gilligan involving approximately 1.068 acres of property to include a portion of the right-of-way for Jennings Way. **ACTION ITEM**

The subject property is located generally at the southwest corner of Sagecrest Drive and Jennings Way.

Chairman Thompson concurrently opened this item and item 1. Rezone No. 5-09, for the rezone of the same property under II. B. Public Hearings.

Bob Morley, High Desert Engineering, 640 Idaho Street, said I am representing the applicant for these two actions. We feel the proposed annexation and accompanying zoning change are appropriate because the property directly across the street on Jennings Way was recently annexed and rezoned Residential Suburban. The proposed development of the property would be one, or at the maximum two residential parcels a half an acre in size. The utilities in Sagecrest Drive would be able to serve the properties from City services. If they were trying to develop the property in the County the Division of Water Resources probably would not allow them to drill wells because the property can be served by City sewer and water. I think it goes along with the growth in the area and that the parcel sizes have to be a minimum of 13,000 square feet and in this instance with the configuration of the parcel they would be a half acres in size which goes along with the parcel size in the area. We think it is consistent with planning issues and would request you approve our requests.

Mr. Wynes indicated Staff has reviewed both applications and as far as the annexation is concerned there are no problems. City property is adjacent on all three sides of the proposed property so it is a forgone conclusion that would come in at some time in the future. As far as the zone change, Staff also finds that is the appropriate zoning considering the area, size and use of other lots. In both cases Staff does recommend approval as outlined in the Staff report.

Mr. Wilkinson noted the Development Department recommends both applications be forwarded to the City Council with a recommendation for approval.

Mr. Hecht, Mr. Andreozzi and Mr. Calder all noted there were no concerns.

****Motion: Send a recommendation of conditional approval to the City Council for Annexation No. 4-09, Action: Conditional Approval, Moved by Rich Perry, Seconded by Doug Owen.**

Subject to the following conditions:

- **The property will be required to connect to City water and sewer services.**
- **Access for any residence constructed shall be taken from Sagecrest Drive.**

Commissioner Perry's findings are that the annexation is consistent with the Land Use Component of the Elko City Master Plan, the Streets and Highways Component of the Elko City Master Plan, Section 3-2-4 Annexation of Territory to the City of Elko, NRS 268.572 which is Legislative declaration, NRS 268.646 Factors in review of proposed annexation and NRS 268.663 Inclusion of a county road, state highway or railroad in annexed territory. Within Commissioner Owen's second to the motion he included the memorandum dated October 26, 2009, by Scott Wilkinson, Development Manager.

Vote: Motion carried by unanimous roll call vote (summary: Yes = 7).

Yes: Jeff Thompson, Rich Perry, Reece Keener, John Anderson, Brent Elmore, Doug Owen, Alene Sutherland.

B. PUBLIC HEARINGS

1. Review and consideration of Rezone No. 5-09, filed by Dennis R. Gilligan and Carla R. Gilligan to consider a change in zoning from Elko County AR

(Agricultural Residential) to RS (Residential Suburban) upon acceptance annexation to the City of Elko for approximately 1.0 acre of property. **ACTION ITEM**

The subject property is located generally at the southwest corner of Sagecrest Drive and Jennings Way.

Chairman Thompson concurrently opened this item with item 3. Annexation No. 4-09, for the annexation of the same property under II. A. Miscellaneous Items, Petitions and Communications.

****Motion: forward a recommendation to the City Council of approval for Rezone No. 5-09, Action: Approve, Moved by Doug Owen, Seconded by Reece Keener.**

Commissioner Owen's findings are it conforms with the Land Use Component of the Elko City Master Plan, Streets and Highways Component of the Elko City Master Plan, Section 3-2-5A of the Elko City Zoning Ordinance-RS (Residential Suburban) Zoning District, and Section 3-2-21 of the Elko City Zoning Ordinance – (Amendments, Zone Change Procedures) and including the memorandum dated October 26, 2009, from Scott Wilkinson, Development Manager.

Vote: Motion carried by unanimous roll call vote (summary: Yes = 7).

Yes: Jeff Thompson, Rich Perry, Reece Keener, John Anderson, Brent Elmore, Doug Owen, Alene Sutherland.

III. REPORTS

Commissioner Perry thanked the City for the payment of his entry fee to the annual conference of the Nevada Chapter of the American Planning Association held in Reno, NV. I got a lot out of it and would encourage any planner to attend one. I think they are held every year in a different location. I picked up a few things that were worthy of noting just to give you a flavor of what is discussed at these conferences. Being in Reno, this one had a focus on several of the Reno Downtown Redevelopment areas. One in particular was the 4th Street corridor redevelopment project which includes the new Reno Ace's Ballpark. They do a meeting format called a planner's charette, which is basically a big brainstorming session with all interested parties, and the final produce of that one day session is a management summary of everybody's thoughts and opinions. It's kind of like a day of free consulting for the City from the participants from other areas. That is why I said it would be nice to have one in Elko. They also talked a little bit about the Wells Avenue redevelopment and lessons they've learned from their public engagement exercises which is a big part of their redevelopment efforts. One thing I did pick up from that is every time they had a meeting they had a topic for the meeting. There were visual tools used for each specific topic of discussion. A lot of their efforts in downtown redevelopment were really revolving around leveraging redevelopment monies with private monies, where the redevelopment monies were less than fifty percent on most cases just to try and get things going. Some of it may have been infrastructure but most of it was private developers and owners that were piggybacking and agreeing to participation. They showcased the Urban Whitewater Park and how it has revitalized the downtown corridor. He then gave a few statistics with regards to future population, families and future planning that was given for the United States as a whole. There were some developers that were in attendance that handed out some brochures that referred to "living in place" architecture being high density development for people who don't want large yards. One thing I did find out is if a Planning Commission

wants some training, they can request through the University Extension, for one of these guys to come out and do a lecture for us on basic planning or other items. The Las Vegas Planners talked about transportation planning which is a big issue down there and linking walkable neighborhoods. It was an interesting conference for the cost.

Mr. Wynes indicated he may be able to make some contacts to schedule a workshop on planning issues.

- A. Summary of City Council Actions.
- B. Summary of Redevelopment Agency Actions.

Mr. Wynes said the RDAAC is now meeting separately from the RDA and is reviewing the Master Plan to see where the RDA Plan can be incorporated into the document. They are holding a meeting Thursday night and one of the agenda items is to establish a normal meeting date and place.

Mr. Wilkinson said the RDAAC is reviewing the Redevelopment Plan not the Master Plan.

- 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.

Mr. Wynes said regarding the Master Plan update, we have selected our six finalists and contacted them. Last I heard five of them have responded as of this morning, and the interviews will be set for the 16th and 17th of this month. We will be working through the selection process following that. Then we will get it to the City Council.

Chairman Thompson asked where the interviews will be held.

Mr. Andreozzi said we plan on having them in this room so they can use the screen if needed and others can pop in and observe if they want to.

Chairman Thompson asked if there was a new Chairman for the RDAAC.

Mr. Wynes said Tony Buettner is the new Chairman.

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.

IV. ADJOURNMENT

There being no further business, the meeting was adjourned.

Jeff Thompson, Chairperson

Reece Keener, Secretary